



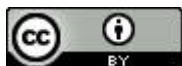
Mapping of Civil Aviation Regulations to CASR Parts 91 and 138—Aerial work operations

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This document contains guidance material intended to assist CASA officers, delegates and the aviation industry in understanding the operation of the aviation legislation. However, you should not rely on this document 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.

Glossary

Acronyms and abbreviations

Acronym / abbreviation	Description
AIP	Aeronautical Information Publication
AMC/GM	Acceptable Means of Compliance and Guidance Material
AOC	Air Operator's Certificate
CAR	Civil Aviation Regulations 1988
CASA	Civil Aviation Safety Authority
CASR	Civil Aviation Safety Regulations 1998
ELT	emergency locator transmitter
FCM	flight crew member
ICAO	International Civil Aviation Organization
MOS	Manual of Standards

References

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

Document	Title
Civil Aviation Regulations	<i>Civil Aviation Regulations 1988</i>
Civil Aviation Safety Regulations	<i>Civil Aviation Safety Regulations 1998</i>
Part 91 of CASR	General operating and flight rules
Part 138 of CASR	Aerial work operations
Part 91 AMC/GM	Part 91—General operating and flight rules Acceptable means of compliance and guidance material
Part 138 AMC/GM	Part 138—Aerial work operations Acceptable means of compliance and guidance material

Revision History

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

Version No.	Date	Parts/Sections	Details
1.0	April 2021	All	First issue

Introduction

This document has been developed to assist pilots and operators transition to the new flight operations regulations that commence on 2 December 2021. It provides a guide to where provisions of the *Civil Aviation Regulations 1988* (CAR), as they would relate to aerial work operations, have been incorporated into Parts 91 and 138 of the *Civil Aviation Safety Regulations 1998* (CASR).

This document lists regulations from Parts 91 and 138 of CASR against provisions in Parts 7 to 19 of CAR, together with the location of requirements (if any) in the Manuals of Standards for Parts 91 and 138. If a similar provision is not contained in the CASR Parts, this is indicated by a '—'.

The comments provide a brief outline of some key differences between the existing and the new regulations, as well as other explanatory material and related provisions. Refer to the regulations and associated MOS sections for full requirements.

A number of the new regulations do not include the prescriptive requirements of the CAR and are outcome-based, allowing the operator to develop their own procedures for compliance, which must be included in their operations manual.

This document does not contain every regulation that applies to an aerial work operation and it should be read in conjunction with the relevant CASR Parts. Guidance material is provided in AMC/GM documents and advisory circulars, available on the CASA website.

The Civil Aviation Regulations, the new CASR Parts and the manuals of standards are available on the Federal Register of Legislation website as follows:

- [Civil Aviation Regulations 1988](#)
- [Part 91 of CASR](#) and the [Part 91 Manual of Standards](#)
- [Part 138 of CASR](#) and the [Part 138 Manual of Standards](#).

The AMC/GM documents for Parts [91](#) and [138](#) are available on the CASA website.

Definitions are provided in the CASR Dictionary, the applicable CASR Part or its MOS. Refer to the CASA Flight operations regulations - consolidated dictionary, available on the [CASA website](#).



Mapping of Civil Aviation Regulations to CASR Parts 91 and 138—Aerial work operations

Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments
Part 7—Navigation logs					
77 – 81	Navigation logs	—		—	These provisions will be repealed and have not been replaced. The keeping of navigation logs is not a requirement under the CASR.
Part 8—Radio systems for use in, or in connection with, aircraft					
82	Equipment of Australian aircraft with radiocommunication systems	—		Subpart 91.K Equipment	Chapter 26 Division 26.6 (26.18) Other provisions Subpart 138.K—Equipment Part 138 MOS Chapter 22 (22.01 - 22.05)
82A	Use of radiocommunication systems: words and phrases to be used	—		91.630 Use of radio—broadcasts and reports	Chapter 21 Division 21.2 The requirement to publish directions relating to words and phrases to be used during radiocommunications in the AIP has been removed. Other provisions 91.240 Flight notifications Part 91 MOS Chapter 9 (9.03 - notifying ATS of changes to flight plans)
83	Transmitting on aeronautical radio frequencies	—		91.625 Use of radio—qualifications	Chapter 21 Division 21.1
84	Use and operation of radiocommunication systems by foreign aircraft	—		91.625 Use of radio—qualifications	
				91.965 Foreign registered aircraft—Chicago Convention	
				Subpart 91.K Equipment	Chapter 26 Division 26.2 (26.02(6))
85	Directions under Part 8	—		—	This provision will be repealed and has not been replaced.
Part 9—Aerodromes					
Division 8—Use of Aerodromes					
92	Use of aerodromes	—		91.410 Use of aerodromes	
92A	Use of aerodromes in regular public transport operations	—		—	
93	Protection of certain rights	—		—	This provision will currently remain in the CAR.



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments		
Division 9—Removal or marking of obstructions or other hazards							
94	Dangerous lights	—		—	This provision will currently remain in the CAR.		
95	Removal or marking of objects which constitute obstructions or potential hazards to air navigation	—		—	This provision will currently remain in the CAR.		
96	Dumping of rubbish	—		—	This provision will be repealed and has not been replaced.		
Part 10—Air Traffic Services and other services							
Division 1—Air Traffic Services							
99AA	Air Traffic—Services, directions and instructions	—		91.285	VFR flights—flights in class A airspace	For a VFR flight in class A airspace, the pilot in command must hold an approval under regulation 91.045 of CASR (previously an approval under subregulation 99AA(3) of CAR). Other provisions 91.090 All flights—airspeed limits 91.257 Air traffic control clearances and instructions 91.263 Air defence identification zone flights (a requirement to comply with ADIZ procedures which are outlined in the AIP).	
				91.255	Air traffic services—prescribed requirements		Chapter 11
				91.260	Unauthorised entry into prohibited or restricted areas		
99A	Broadcasts to be made at certain aerodromes	—		91.630	Use of radio—broadcasts and reports	Chapter 21 Division 21.2	
100	Compliance with air traffic control clearances and air traffic control instructions	—		91.255	Air traffic services—prescribed requirements	Chapter 11 Division 11.1 and 11.2	
				91.257	Air traffic control clearances and instructions		
101	Procedure when air traffic control not in operation	—		91.255	Air traffic services—prescribed requirements	Chapter 11 Division 11.2 (11.13, 11.14, 11.15)	
105	Temporary medical unfitness of holder of licence	—		—		Not applicable to the flight operations regulations. This provision will currently remain in the CAR.	
115	Medical unfitness of holder of licence	—		—		Not applicable to the flight operations regulations. This provision will currently remain in the CAR.	
Division 2—Meteorological services							
120	Weather reports not to be used if not made with	—		91.230	Flight preparation (weather assessments) requirements	Chapter 7 The Part 91 MOS prescribes the use of <i>authorised weather forecasts</i> and <i>authorised weather reports</i> . These are new terms.	



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
	authority							Refer to the CASA Flight operations regulations - consolidated dictionary, available on the CASA website. Other provisions 138.265 Flight preparation requirements
Division 3—Statistical returns								
132	Statistical returns	—			—			Not applicable to the flight operations regulations. This provision will be repealed.
Part 11—Conditions of flight								
Division 1—General								
133	Conditions to be met before Australian aircraft may fly	—			91.145	Requirements to be met before Australian aircraft may fly		
135	Foreign aircraft of Contracting States	—			91.020	Application of Part 91—foreign registered aircraft		
					91.965	Foreign registered aircraft—Chicago Convention		
135A	Special flight authorisation	—			91.970	Foreign registered aircraft—special flight authorisations		Other provisions 91.965 Foreign registered aircraft—Chicago Convention
136	Foreign state aircraft	—			—			Not applicable to Part 138 operations.
138	Pilot to comply with requirements etc of aircraft's flight manual etc	138.210	Compliance with flight manual	Chapter 7 and 8	91.095	Compliance with flight manual etc.		Subregulation 138.210 (2) of CASR prescribes that for a flight involving an aerial work operation, the requirements and limitations of the aircraft flight manual instructions must be complied with. Subregulation 138.210 (3) provides an exception to this for a relevant rotorcraft if the prescribed circumstances apply. Refer to Chapter 8 of the Part 138 MOS. (This exception was previously provided by exemption in CAO 95.7.2). Section 7.02 of the Part 138 MOS prescribes that if the flight manual does not mention the minimum distances from an object that a rotorcraft must be during certain stages of flight, then the appropriate substitute distances are those included in the operator's operations manual. When conducting a flight that does not involve an <i>aerial work operation</i> , the Part 91 requirement applies. For the definition of <i>aerial work operation</i> , refer to regulation 138.010 of CASR.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
139	Documents to be carried in Australian aircraft	—			91.105	Carriage of documents		Regulation 91.105 of CASR requires flight crew members to carry photographic identification, and that operating instructions for computerised navigation equipment are carried (if fitted).
					91.110	Carriage of documents for certain flights		Regulation 91.110 relaxes the requirement to carry a maintenance release or flight technical log for certain flights. Other provisions 91.100 Electronic documents 138.220 Electronic documents (Regulations 91.100 and 138.220 are new provisions that permit the documents referred to in Divisions 138.C.3 and 91.C.3 to be carried in electronic form.) 91.175 Operation of portable electronic devices by crew members (a new provision). 138.180 Copies of flight crew licences and medical certificates
140	Prohibited, restricted and danger areas	—			91.255	Air traffic services—prescribed requirements	Chapter 11 Division 11.3	
					91.260	Unauthorised entry into prohibited or restricted areas		
143	Carriage of firearms	138.432	Possessing and discharging firearms	Chapter 17 Division 3	91.160	Possessing firearm on aircraft		Regulation 138.432 and the Part 138 MOS prescribe the requirements for possessing and discharging firearms on an aircraft for a flight involving an aerial work operation. A firearm must not be possessed or carried, or discharged by any person while on an aircraft, unless the applicable requirements of Chapter 17 of the Part 138 MOS are complied with. Refer to the Part 138 AMC/GM document for guidance on regulation 138.432.
144	Discharge of firearms in or from an aircraft	138.432	Possessing and discharging firearms	Chapter 17 Division 3	91.165	Discharging firearm on aircraft		Other provisions 138.010 Definition of <i>aerial work operation</i> etc (includes the definition of <i>task specialist operation</i>) 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13 138.430 Manual of Standards may prescribe requirements for task specialist operations
145	Emergency authority	—			—			This provision will be repealed and has not been replaced. Similar alleviations are achieved by rules prescribed elsewhere in Australian legislation (the <i>Civil Aviation Act 1988</i> and the <i>Criminal Code Act 1995</i>).
146	Liability as to neglect of rules regarding lights etc	—			—			This provision will be repealed and has not been replaced. Regulation 91.215 of CASR prescribes authority and responsibilities of the



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments		
					pilot in command.		
147	Australian aircraft in or over territory of a State which is not a Contracting State	—		91.010	Application of Part 91—Australian aircraft in foreign countries		
Division 2—Flight rules							
149	Towing	138.410	Manual of Standards may prescribe requirements for external load operations	Chapters 2 (2.01) and 15	91.210	Towing of things by aircraft	<p>Regulation 91.210 of CASR prescribes that a thing may only be towed by an aircraft if it is permitted by another provision of the Regulations (or a regulation 91.045 approval).</p> <p>Regulation 138.410 and Chapter 15 of the Part 138 MOS prescribe the requirements for <i>external load operations</i>, which include the towing of a load outside an aircraft.</p> <p>An approval under regulation 138.025 is required for certain external load operations. Refer to section 15.09 of the Part 138 MOS. (Under the CAR a permission or approval under regulation 149 to tow a thing was required).</p> <p>For classes of external loads, refer to section 2.01 of the Part 138 MOS. (Glider towing is not an <i>aerial work operation</i>.)</p> <p>Other provisions</p> <p>138.010 Definition of <i>aerial work operation</i> etc (includes the definition of <i>external load operation</i>) 138.030 Requirement to hold aerial work certificate 138.400 Certain night operations prohibited unless operation is an emergency service operation or approved by CASA Division 138.B.8—Operations manuals 138.370 Operator must conduct risk assessments (a new requirement) Part 138 MOS Chapter 13</p> <p>For the definition of <i>emergency service operation</i>, refer to the CASA Flight operations regulations - consolidated dictionary, available on the CASA website.</p>
150	Dropping of articles	138.425	Manual of Standards may prescribe requirements for dispensing operations	Chapter 16	91.190	Dropping things from aircraft	<p>Dropping or releasing a substance or object from an aircraft in flight is a <i>dispensing operation</i>, the requirements for which are prescribed by regulation 138.425 and the Part 138 MOS.</p> <p>(Under the CAR an exemption/directions under regulation 150 may have been required. Refer also to the entries made against CAO 29.5 in the CAO to Part 138 mapping document.)</p> <p>Regulation 91.190 of CASR, which prohibits a thing being dropped from an</p>



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments		
					<p>aircraft, does not apply to the operation of an aircraft if:</p> <ul style="list-style-type: none"> regulation 138.425 applies to the operation, and the requirements prescribed by the Part 138 MOS relating to <i>dispensing operations</i> are complied with. <p>For an operation other than this, regulation 91.190 applies.</p> <p>Other provisions 138.010 Definition of <i>aerial work operation</i> etc (includes the definition of <i>dispensing operation</i>) 138.030 Requirement to hold aerial work certificate Division 138.B.8—Operations manuals 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13</p>		
151	Picking up of persons or objects	138.410	Manual of Standards may prescribe requirements for external load operations	Chapters 2 and 15	91.195	Picking up or setting down people or things during flight	<p>Picking up or setting down people or things during flight is an <i>external load operation</i>, the requirements for which are prescribed by regulation 138.410 and the Part 138 MOS (previously an authority under subregulation 151 (3) of CAR).</p> <p>Regulation 91.195 of CASR, which prohibits picking up or setting down people or things during flight, does not apply to the operation of an aircraft if:</p> <ul style="list-style-type: none"> regulation 138.410 applies to the operation, and the requirements prescribed by the Part 138 MOS relating to flights of aircraft involving <i>external load operations</i> are complied with. <p>For an operation other than this, regulation 91.195 applies.</p> <p>Other provisions 138.010 Definition of <i>aerial work operation</i> etc (includes the definition of <i>external load operation</i>) 138.030 Requirement to hold aerial work certificate 138.400 Certain night operations prohibited unless operation is an emergency service operation or approved by CASA Division 138.B.8—Operations manuals 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13 138.500 Qualification as pilot in command Part 138 MOS Chapter 23 Division 2</p>
152	Parachute descents	—			—		Parachuting is not an aerial work activity. Refer to Part 105 of CASR—Parachuting from aircraft.
153	Flight under simulated instrument flying conditions	—			91.720	Simulating IMC flying	The provision in subparagraph 153 (1) (b) (ii) of CAR for an observer to supplement the vision of the safety pilot has not been included in the CASR.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
155	Aerobatic manoeuvres	—			—			
156	Flying over public gatherings	138.275	Minimum height rules	Chapter 9 Divisions 1, 3 and 6	91.265	Minimum height rules—populous areas and public gatherings	Chapter 12 (12.01)	<p>Regulation 91.265 of CASR prescribes minimum height rules for flights over populous areas and public gatherings. Regulation 138.275 provides alleviation from these rules for aerial work operations, provided the prescribed requirements are met.</p> <p>The minimum height rules prescribed by regulation 91.265 do not apply for a flight involving an aerial work operation if:</p> <ul style="list-style-type: none"> the circumstances prescribed by the Part 138 MOS for paragraph 138.275 (a) apply to the aircraft and the operation or the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) are complied with. <p>Compliance with the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) replaces the requirement for a permission to fly over a public gathering, in most instances* (previously a permission under subregulation 156 (1) of CAR). * refer to section 13.09 of the Part 138 MOS.</p> <p>The Part 138 MOS prescribes requirements for flight over populous areas and public gatherings that are in addition to those set out in Chapter 9. Refer to sections 15.09, 15.10, 15.12 and 17.07.</p> <p>For the minimum height rules that apply to a <i>positioning flight</i>, refer to subsection 9.02 (2) of the Part 138 MOS.</p> <p>For the definition of <i>positioning flight</i>, refer to subsection 1.04 (6) of the Part 138 MOS.</p> <p>Other provisions Division 138.B.8—Operations manuals 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13</p>
157	Low flying	138.275	Minimum height rules	Chapter 9	91.265	Minimum height rules—populous areas and public gatherings	Chapter 12 (12.01)	<p>Regulation 91.265 of CASR prescribes minimum height rules for flights over populous areas and public gatherings and regulation 91.267 prescribes the minimum height rules for flights over other areas. Regulation 138.275 provides alleviation from these rules for aerial work operations, provided the prescribed requirements are met.</p> <p>The minimum height rules prescribed by regulation 91.265 or 91.267 do not apply for a flight involving an aerial work operation if:</p> <ul style="list-style-type: none"> the circumstances prescribed by the Part 138 MOS for paragraph 138.275 (a) apply to the aircraft and the operation or the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) are complied with.
					91.267	Minimum height rules—other areas	Chapter 12 (12.02)	



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
								<p>Compliance with the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) replaces the requirement for a separate low flying permission (previously a permit under paragraph 157 (4) (b) of CAR).</p> <p>For the minimum height rules that apply to a <i>positioning flight</i>, refer to subsection 9.02 (2) of the Part 138 MOS.</p> <p>Other provisions Division 138.B.8—Operations manuals 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13</p>
158	Reports at designated points or intervals	—			91.630	Use of radio—broadcasts and reports	Chapter 21 Division 21.2 (21.05 and 21.06)	
159	Procedure on radio failure	—			91.255	Air traffic services—prescribed requirements	Chapter 11 Division 11.1 and 11.2 (11.10 and 11.18)	
					91.287	IFR flights	Chapter 14 (14.02(4))	
					91.307	IFR take-off and landing minima	Chapter 15 (15.11(1)(c))	
159A	Power of CASA to issue instructions	—			—			The Part 91 MOS prescribes the procedures to be followed in the event of the failure of the aircraft's radio or navigation aid equipment.
159B	Manner of notifying instructions	—			—			This provision will be repealed and has not been replaced. It relates to regulation 159A of CAR and is not required in the CASR.
Part 12—Rules of the air								
Division 1—General								
160	Interpretation	—			—			<p>This provision will be repealed. The definition for <i>overtaking aircraft</i> has not been included in the CASR.</p> <p>The requirements for avoiding collisions in the air are prescribed in Subdivision 91.D.4.4 of CASR.</p> <p>Regulation 91.055 of CASR prohibits an aircraft being operated in a manner that creates a hazard to another aircraft.</p>
161	Right of way	—			91.335	Additional right of way rules		Regulation 91.335 of CASR contains exceptions to avert a collision as in



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments	
					subregulation 161 (2) of CAR. Other provisions 91.330 Right of way rules	
162	Rules for prevention of collision	—			91.330 Right of way rules	
					91.335 Additional right of way rules	
					91.340 Right of way rules for take-off and landing	
163	Operating near other aircraft	—			91.055 Aircraft not to be operated in a manner that creates a hazard	
163AA	Formation flying	—			—	
163A	Responsibility of flight crew to see and avoid aircraft	—			91.325 Basic rule	
Division 2—Operation on and in the vicinity of aerodromes						
Subdivision 1—General						
164	Responsibility for compliance with rules of this Division	—			91.D.4.6 Avoiding collisions at or in the vicinity of aerodromes	Regulation 164 of CAR has not been included in the CASR as a single provision. The rules for avoiding collisions at or in the vicinity of aerodromes, and the persons responsible for compliance with them, are set out in Subdivision 91.D.4.6.
165	Temporary suspension of rules	—			—	This provision will be repealed and has not been replaced.
Subdivision 2—Operating on and in the vicinity of non-controlled aerodromes						
166	Definitions for Subdivision 2	—			91.360 Meaning of <i>in the vicinity of a non-controlled aerodrome</i>	
166A	General requirements for aircraft on the manoeuvring area or in the vicinity of a non-controlled aerodrome	—			91.365 Taxiing or towing on movement area of aerodrome	A new provision.
					91.370 Take-off or landing at non-controlled aerodrome—all aircraft	
					91.375 Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—general requirements	
					91.380 Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—landing	Other provisions 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
						and taking off into the wind		
					91.385	Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—requirements that apply after joining the circuit pattern		
					91.390	Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—requirements related to maintaining the same track after take-off		
					91.420	Parked aircraft not to create hazard		A new provision.
166B	Carrying out a straight-in approach	—			91.395	Straight-in approaches at non-controlled aerodromes		
166C	Responsibility for broadcasting on VHF radio	—			91.630	Use of radio—broadcasts and reports	Chapter 21 Division 21.2	
166D	Designation of non-controlled aerodromes	—			91.400	Communicating at certified, registered, military or designated non-controlled aerodromes	Chapter 17 (reserved)	CASA may use the Part 91 MOS to prescribe a designated non-controlled aerodrome. There are currently no designated non-controlled aerodromes and Chapter 17 of the Part 91 MOS is reserved.
166E	Requirements for operating on or in the vicinity of certified, military, registered or designated non-controlled aerodromes	—			91.400	Communicating at certified, registered, military or designated non-controlled aerodromes		
Subdivision 3—Controlled aerodromes, aerodromes at which the operation of aircraft is not restricted to runways, and preventing collisions on water								
167	General requirements for aerodrome traffic at controlled aerodromes	—			91.325	Basic rule		
					91.405	Aircraft in aerodrome traffic at controlled aerodromes		Requires turns to be made in the direction of the circuit pattern when operating at controlled aerodromes (subregulation 167 (4) of CAR specified that turns be made to the left).
					91.635	Communication monitoring in controlled airspaces		
168	Aerodromes at which the operation of aircraft is not restricted to runways	—			—			This provision will be repealed and has not been replaced. The requirements for avoiding collisions in the air and during take-off and landing are prescribed in Subdivision 91.D.4.4—Avoiding collisions in the air.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
169	Preventing collisions on water	—			91.345	Compliance with International Regulations		The requirements for operations at controlled water aerodromes referred to in subregulations 169 (5) and 169 (6) of CAR will be repealed and have not been replaced.
					91.350	Giving way to vessels		
					91.355	Giving way on water		There are no such aerodromes in Australia and the provisions are not required.
Division 3—Visual flight rules								
170	Interpretation	—			—			<i>flight level</i> is defined in the CASR Dictionary. <i>flight level 200</i> was defined for the purposes of Division 3 of Part 12 of CAR only, and the definition has not been included in the CASR.
171	V.F.R. flight	—			91.270	Aircraft to be flown under VFR or IFR		Other provisions 91.273 VFR flights Part 91 MOS Chapter 13 VFR flights 91.287 IFR flights Part 91 MOS Chapter 14 IFR flights
					91.280	VFR flights—compliance with VMC criteria		
172	Flight visibility and distance from cloud	—			91.273	VFR flights	Chapter 13	Regulation 91.273 removes the requirement to navigate by visual reference to the ground or water when at or below 2,000 ft AGL. Navigating in accordance with the navigation requirements for an IFR flight is permitted, while ensuring compliance with the VMC criteria.
					91.280	VFR flights—compliance with VMC criteria		Other provisions Part 91 MOS Division 2.1 Definition of <i>special VFR</i> Part 91 MOS Division 2.4 Definition of <i>VMC criteria</i>
173	Cruising level to be appropriate to magnetic track	—			91.275	Specified VFR cruising levels		The altitude at or above which VFR aircraft are to use specified VFR cruising levels has changed. The requirement now applies when an aircraft is at or above 3,000 ft AMSL (and at or above 1,500 ft AGL). Other provisions Part 91 MOS Division 2.5 Definitions of specified cruising levels
					91.285	VFR flights—flights in class A airspace		
174	Determination of visibility for V.F.R. flights	—			—			This provision will be repealed and has not been replaced. The pilot in command is responsible for ensuring compliance with VMC criteria, which set out the minimum visibility required. Refer to the Part 91 AMC/GM document for guidance on regulation 91.273. Other provisions 91.273 VFR flights 91.280 VFR flights—compliance with VMC criteria



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
174A	Equipment of aircraft for V.F.R. flight	—			Subpart 91.K	Equipment	Chapter 26 Divisions 26.1, 26.2, 26.3 26.4, 26.5, 26.6, 26.7, 26.16	For more detailed mapping of the instruments and equipment required for flight, refer to the CAOs to Part 138 mapping document, available on the CASA website.
174B	V.F.R. flights at night	138.275	Minimum height rules	Chapter 9 Divisions 1 and 3	91.277	Minimum heights—VFR flights at night	Chapter 12 (12.03) (reserved)	Regulation 91.277 prescribes the minimum height rules for a VFR flight at night. It also introduces the ability for VFR flights at night to use a published lowest safe altitude, published MSA or pilot-calculated lowest safe altitude for the route or route segment. The minimum height rules prescribed by regulation 91.277 do not apply for a flight involving an aerial work operation if: <ul style="list-style-type: none"> the circumstances prescribed by the Part 138 MOS for paragraph 138.275 (a) apply to the aircraft and the operation or the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) are complied with.
		138.305	Carriage of passengers—general	Chapter 11 (11.01, 11.03, 11.04, 11.05, 11.06)				For the minimum height rules that apply to a <i>positioning flight</i> , refer to subsection 9.02 (2) of the Part 138 MOS. Other provisions 138.020 Issue of Manual of Standards for Part 138 Part 138 MOS Chapter 7 (7.03) 138.350 NVIS flights Part 138 MOS Chapter 12 (refer also to entries made against CAO 82.6 in the CAOs to Part 138 mapping document). 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13
174D	Navigation of aircraft on V.F.R. flight	—			91.273	VFR flights	Chapter 13	
					Subpart 91.K	Equipment	Chapter 26	
Division 4—Instrument flight rules								
175	I.F.R. flight	—			91.270	Aircraft to be flown under VFR or IFR		
175A	Restriction on I.F.R. flights by single engine aircraft	138.305	Carriage of passengers—general	Chapter 11 (11.01, 11.02, 11.05, 11.06)	—			Other provisions 138.020 Issue of Manual of Standards for Part 138 Part 138 MOS Chapter 7 (7.01, 7.03)



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
176A	Determination of visibility and cloud base for I.F.R. flights	—			—			<p>This provision will be repealed and has not been replaced.</p> <p>The pilot in command is responsible for ensuring compliance with take-off and landing minima.</p> <p>Other provisions 91.230 Flight preparation (weather assessments) requirements</p>
177	Equipment of aircraft for I.F.R. flight	—			Subpart 91.K	Equipment	Chapter 26 Divisions 26.1, 26.2, 26.3 26.4, 26.5, 26.6, 26.7, 26.8, 26.10, 26.16	<p>For more detailed mapping of the instruments and equipment required for flight, refer to the CAOs to Part 138 mapping document, available on the CASA website.</p>
178	Minimum height for flight under I.F.R.	138.275	Minimum height rules	Chapter 9 Divisions 1, 3, 4 and 5	91.305	Minimum heights—IFR flights		<p>Regulation 91.305 prescribes the minimum height rules for an IFR flight.</p> <p>The minimum height rules prescribed by regulation 91.305 do not apply for a flight involving an aerial work operation if:</p> <ul style="list-style-type: none"> the circumstances prescribed by the Part 138 MOS for paragraph 138.275 (a) apply to the aircraft and the operation or the requirements prescribed by the Part 138 MOS for paragraph 138.275 (b) are complied with. <p>For the minimum height rules that apply to a <i>positioning flight</i>, refer to subsection 9.02 (2) of the Part 138 MOS.</p> <p>Other provisions 91.310 Approach ban for IFR flights (a new requirement).</p>
179	Authorised instrument approach procedures to be used	—			—			<p>This provision will be repealed and has not been replaced.</p> <p>Regulation 91.305 of CASR sets out the requirements for a descent below the minimum height, which includes flight in accordance with an authorised instrument approach procedure.</p>
179A	Navigation of aircraft on I.F.R. flight	—			91.287	IFR flights	Chapter 14	<p>Other provisions Part 91 MOS Division 2.5 Definitions of specified cruising levels</p>
					Subpart 91.K	Equipment	Chapter 26	
180	Cruising levels for I.F.R. flights	—			91.290	Specified IFR cruising levels		
181	Flight procedure for I.F.R. flight where cruising level cannot be maintained	—			91.295	IFR flights at non-specified cruising levels—notifying Air Traffic Services		



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
					91.300	IFR flights at non-specified cruising levels—avoiding collisions with aircraft conducting VFR flights		
Division 5— Operations in RVSM airspace								
181A-181X		—			91.655	RVSM airspace	Chapter 11 Division 11.1 (11.07)	The number of RVSM approvals have been reduced. Other provisions 91.630 Use of radio—broadcasts and reports Part 91 MOS Division 21.2 (21.08 Flights in RVSM airspace—prescribed reports)
Part 13—Signals for the control of air traffic								
Division 1—Aerodrome traffic								
182	Use of prescribed signals	—			91.670	Standard visual signals		<i>Standard visual signal</i> is defined in the CASR Dictionary. Signals, and the requirements and circumstances for their display, are prescribed in Division 2.3 of the Part 91 MOS.
183	Responsibility for complying with this Part	—			91.670	Standard visual signals		
184	Two-way radiotelephony communication	—			—			This provision will be repealed and has not been replaced. The use of the English language in radiotelephony communications is required by ICAO and is standard across Contracting States.
185	Visual signals	—			91.670	Standard visual signals		<i>Standard visual signal</i> is defined in the CASR Dictionary. Signals, and the requirements and circumstances for their display, are prescribed in Division 2.3 of the Part 91 MOS.
186	Pilot in command to maintain look out for visual signals	—			—			This provision will be repealed and has not been replaced; however, subregulation 91.670 (3) of CASR requires the pilot in command to comply with a signal displayed to the aircraft during flight. Other provisions 91.670 Standard visual signals Part 91 MOS Division 2.3 Definition of <i>standard visual signal</i>
187	Light signals	—			91.670	Standard visual signals		Other provisions Part 91 MOS Division 2.3 Definition of <i>standard visual signal</i>
188	Pyrotechnic signals	—			91.670	Standard visual signals		
189	Ground signals	—			91.670	Standard visual signals		
Division 2—Special signals relating to danger areas, prohibited areas and restricted areas								



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
190	Warning signal	—			91.670	Standard visual signals		<p>Other provisions</p> <p>91.695 Interception of aircraft (a new provision which clarifies the requirement to comply with aircraft interception procedures, as outlined in the AIP). Part 91 MOS Chapter 23</p> <p>Part 91 MOS Division 2.3 Definition of <i>standard visual signal</i></p>
Division 3—Emergency signals								
191	Transmission of signals	—			—			<p>These CAR provisions will be repealed and have not been replaced.</p> <p>Regulation 91.680 of CASR requires the pilot in command to inform ATS of an emergency (and of any dangerous goods carried) if a means of communicating with ATS is available and it is practicable to do so. The means for communicating with ATS is not prescribed.</p> <p>Other provisions</p> <p>91.680 Pilot in command to report emergencies 91.690 Pilot in command to report contraventions relating to emergencies 91.700 Aviation distress signals (a new provision that establishes a requirement to cancel a distress notification when it is no longer required).</p>
192	Distress signals							
193	Urgency signals							
194	Safety signal							
Division 4—Lights to be displayed by aircraft and lights and markings to be displayed on mooring cables								
195	Compliance with rules about lights	—			Subpart 91.K	Equipment	Chapter 26 Division 26.7	
196	Aeroplanes in flight or on the manoeuvring area of land aerodromes	—			91.420	Parked aircraft not to create hazard		Section 26.22 of the Part 91 MOS prescribes when anti-collision lights must be displayed.
					Subpart 91.K	Equipment	Chapter 26 Division 26.7	<p>Section 26.24 of the Part 91 MOS prescribes that an aircraft operating by night or in poor visibility must be fitted with navigation lights, and when they must be displayed.</p> <p>The technical standards for lights have not been included in the CASR flight operations regulations. Refer to the CASR airworthiness standards.</p>
197	Aeroplanes under way on the surface of water	—			—			These provisions will be repealed and have not been replaced.
198	Aeroplanes at anchor or moored on the surface of water	—			—			Regulation 91.345 requires an aircraft operating on water to comply with any requirement of the applicable international regulations. This includes any such regulations in relation to lights.
199	Aeroplanes aground on the surface of the water	—			—			<p>Other provisions</p> <p>91.345 Compliance with International Regulations 91.355 Giving way on water</p>



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
200	Gliders	—			—			
203	Airships	—			—			
Part 14—Air service operations								
Division 1A—AOCs with ANZA privileges								
205	Additional conditions— Australian AOC with ANZA privileges	—			—			
Division 1—General								
206	Commercial purposes (Act, s 27(9))	138.005	Application of Part 138		—			<p>In Part 138 of CASR aerial work categories have been simplified into the following 3 kinds of operations:</p> <ul style="list-style-type: none"> external load operations dispensing operations task specialist operations. <p>An aerial work operation does not include a medical transport operation.</p> <p>The requirement to hold an AOC has been removed. Regulation 138.030 of CASR prescribes the requirement to hold an aerial work certificate.</p> <p>Certain aerial work operations do not require an aerial work certificate. Refer to subregulation 138.030 (2).</p> <p>Other provisions 138.010 Definition of <i>aerial work operation</i> etc. Part 138 MOS Chapter 1 (definitions of <i>aerial work operator</i>, <i>aerial work certificate holder</i>, <i>limited aerial work operation</i>, <i>limited aerial work operator</i>)</p>
		138.030	Requirement to hold aerial work certificate					
207	Requirements according to operations on which Australian aircraft used	138.205	Permitted categories of aircraft for aerial work operations		Subpart 91.K	Equipment	Chapter 26	
208	Number of operating crew	138.475	Composition, number, qualifications and training		—			<p>The Part 138 MOS prescribes the number of operating crew for certain marine pilot transfer operations and operations below the minimum height.</p> <p>Refer to the Part 138 MOS as follows:</p> <ul style="list-style-type: none"> Division 4 of Chapter 9 (9.08) Division 5 of Chapter 9 (9.15) Division 4 of Chapter 17 (17.09). <p>Other provisions 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc.</p>



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments
					138.540 Composition, number, qualifications and training 138.580 Qualifications and training
209	Private operations	—		—	
210A	Flight time limitations	—		—	This provision will currently remain in the CAR. The requirement to comply with the CAO 48.1 fatigue management rules will continue beyond the 2 December 2021 commencement of the CASR flight operations regulations. These rules will be incorporated into the CASR in due course. Other provisions Division 138.B.7—Personnel fatigue management 91.520 Crew members to be fit for duty
210B	Pilot in command under supervision	138.475	Composition, number, qualifications and training	91.155	Manipulating flight controls
Division 2—Requirements to ensure the safety of commercial operations					
211	Division 2 not to apply to New Zealand AOC holders with ANZA privileges	—		—	Regulations 211 – 214 will currently remain in the CAR.
212	Operator	—		—	Other provisions Part 138 MOS Chapter 1 (definitions of <i>aerial work operator</i> , <i>limited aerial work operator</i>)
213	Organisation	—		—	Other provisions 138.040 Issue of aerial work certificate 138.070 Organisation and personnel
214	Training of maintenance personnel	—		—	
215	Operations manual	Division 138.B.3	Changes relating to aerial work operators	—	Other provisions 138.157 Compliance with operations manual by operator 138.225 Availability of parts of operations manual
		138.155	Content of operations manual		
		138.160	Compliance with operations manual by personnel		
		138.165	Providing personnel with operations manual		



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
216	Flight time records	—			—			<p>The standards for the management of fatigue and fatigue risk are currently prescribed by CAO 48.1.</p> <p>The requirement to comply with CAO 48.1 will continue beyond the 2 December 2021 commencement of the CASR flight operations regulations. These rules will be incorporated into the CASR in due course.</p>
217	Training and checking organisation	138.125	Operators who are required to have a training and checking system	Chapter 4	—			<p>Regulation 138.125 of CASR prescribes that certain aerial work operators must have a training and checking system.</p> <p>The Part 138 MOS prescribes crew member training and checking events that apply whether or not the aerial work operator has a training and checking system.</p> <p>Some provisions in the flight operations CASR Parts will be deferred. For information about deferred provisions, refer to AC 1-03 – Transitioning to the new flight operations regulations, available on the CASA website.</p> <p>Other provisions Division 138.B.5—Training and checking Subpart 138.N— Flight crew Subpart 138.P— Air crew members and task specialists</p>
		138.475	Composition, number, qualifications and training	Chapter 23				
		138.540	Composition, number, qualifications and training	Chapter 24				
		138.580	Qualifications and training	Chapter 25				
218	Route qualifications of pilot in command of a regular public transport aircraft	—			—			
219	Route qualifications of pilot in command of a charter aircraft	—			—			
220	Fuel instructions and records	138.285	Fuel procedures		91.455	Fuel requirements	Chapter 19	Section 19.07 of the Part 91 MOS prescribes procedures and requirements for an operational variation applicable to an aerial work operator.
221	Facilities and safety devices for public	138.280	Procedures for safety at aerodromes		—			
222	Proving tests	—			—			<p>Certain changes in relation to the aircraft that are used in the operator's aerial work operations constitute a <i>significant change</i>, which must be approved by CASA.</p> <p>Refer to regulation 138.012 of CASR - Definition of <i>significant change</i></p>
Division 3—Conduct of operations								
222A	Division 3 not to apply to New Zealand AOC holders with ANZA privileges	—			—			
223	Operator to ensure	—			—			



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
	employees and flight crew familiar with local laws and regulations							
224	Pilot in command	138.490	Assignment to duty of pilot in command		91.215	Authority and responsibilities of pilot in command		Other provisions 138.210 Compliance with flight manual Division 138.D.1—Operational control (reserved) 91.095 Compliance with flight manual etc. 91.225 Crew members—power of arrest 138.165 Providing personnel with operations manual
		138.160	Compliance with operations manual by personnel		91.220	Actions and directions by operator or pilot in command		
224A	Commercial operations carrying passengers—requirements if pilot in command 60 or more	—			—			This provision will currently remain in the CAR.
225	Pilots at controls	138.375	Wearing of seatbelts and other restraint devices	Chapter 14	91.550	Seating for flight crew members		Regulation 91.550 of CASR prescribes the requirements for seating and wearing of seatbelts by flight crew members. Regulation 138.375 and Chapter 14 of the Part 138 MOS prescribe requirements relating to the wearing of seatbelts during an aerial work operation.
226	Dual controls	—			91.155	Manipulating flight controls		
227	Admission to crew compartment	—			—			
228	Unauthorised persons not to manipulate controls	—			91.155	Manipulating flight controls		
228A	Definition of qualified to taxi an aircraft	—			91.415	Taxiing aircraft		
229	Operation of aircraft on ground—only qualified persons may taxi aircraft	—			91.415	Taxiing aircraft		
230	Starting and running of engines	—			91.425	Safety when aeroplane operating on ground	Chapter 18 (reserved)	
					91.430	Safety when rotorcraft operating on ground		
231	Manipulation of propeller	—			91.425	Safety when aeroplane operating on ground	Chapter 18 (reserved)	
232	Flight check system	—			—			This provision will be repealed and has not been replaced. CASA approval of flight check systems is not required under the CASR.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
								Other provisions 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc. 138.215 Availability of checklists
232A	Operational procedures in relation to computers	—			91.287	IFR flights	Chapter 14 (14.02 and 14.07)	
233	Responsibility of pilot in command before flight	138.435	Take-off performance	Chapter 18	91.110	Carriage of documents for certain flights		Other provisions Subpart 91.K— Equipment Subpart 138.K— Equipment 138.460 Weight and balance documents
		138.440	Landing performance	Chapter 18	91.245	Matters to be checked before take-off	Chapter 10	
		138.450	Loading of aircraft		91.455	Fuel requirements	Chapter 19	
234	Fuel requirements	—			91.455	Fuel requirements	Chapter 19	Section 19.07 of the Part 91 MOS prescribes procedures and requirements for an operational variation applicable to an aerial work operator. Other provisions 138.285 Fuel procedures
234A	Oil requirements	138.290	Oil requirements		—			
235	Take-off and landing of aircraft etc	138.435	Take-off performance	Chapter 18	—			Other provisions 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc. 138.460 Weight and balance documents
		138.440	Landing performance	Chapter 18				
		138.450	Loading of aircraft					
235A	Taking off from and landing on narrow runways— certain aeroplanes	—			—			
238	Icing conditions	—			91.710	Flight in icing conditions— requirements for flight		Other provisions 91.705 Flight in icing conditions—adherence of frost, ice or snow 138.380 Procedures relating to frost etc.
239	Planning of flight by pilot in command	—			91.230	Flight preparation (weather assessments) requirements	Chapter 7	Other provisions 138.265 Flight preparation requirements 138.270 Availability of flight planning information
					91.235	Flight preparation (alternate aerodromes) requirements	Chapter 8	
					91.245	Matters to be checked before take-off	Chapter 10	
240	Authority may issue instructions in relation to	—			91.230	Flight preparation (weather assessments) requirements	Chapter 7	



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
	flight planning				91.235	Flight preparation (alternate aerodromes) requirements	Chapter 8	
					91.245	Matters to be checked before take-off	Chapter 10	
241	Flight plans—submission to air traffic control in certain cases	—			91.240	Flight notifications	Chapter 9	
242	Testing of radio apparatus	—			91.245	Matters to be checked before take-off	Chapter 10	
243	Listening watch	—			91.405	Aircraft in aerodrome traffic at controlled aerodromes		
					91.635	Communication monitoring in controlled airspaces		
					91.640	Use of radio outside controlled airspaces—listening watch of radio transmissions		
244	Safety precautions before take-off	—			91.245	Matters to be checked before take-off	Chapter 10	Other provisions 138.380 Procedures relating to frost etc. 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc.
					91.705	Flight in icing conditions—adherence of frost, ice or snow		
245	Tests before and during the take-off run	—			91.245	Matters to be checked before take-off	Chapter 10	Other provisions 138.210 Compliance with flight manual 91.095 Compliance with flight manual etc.
246	Movement on manoeuvring area	—			91.365	Taxiing or towing on movement area of aerodrome		
					91.375	Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—general requirements		
247	Meteorological conditions observed en route	—			91.675	Pilot in command to report hazards to air navigation		Other provisions 138.235 Reporting and recording incidents
248	Reporting of defects	—			91.675	Pilot in command to report hazards to air navigation		Other provisions 138.230 Procedures for reporting and recording defects etc.
Division 4—General provisions relating to the operation of aircraft								
248A	Division 4 not to apply to New Zealand AOC holders with ANZA privileges	—			—			



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
249	Prohibition of carriage of passengers on certain flights	—			91.725	Training flight limitations etc.		<p>The concept of aerial work passengers carried by an aerial work operator is new. Aerial work passengers may only be carried on an aerial work certificate holder's aircraft, and restrictions on the number of aerial work passengers carried apply.</p> <p>Other provisions 138.305 Carriage of passengers—general Part 138 MOS Chapter 2 (2.02) Part 138 MOS Chapter 11</p>
250	Carriage on wings, undercarriage etc	138.410	Manual of standards may prescribe requirements for external load operations	Chapters 2 and 15	91.200	Persons not to be carried in certain parts of aircraft		<p>Regulation 91.200, which prohibits persons being carried in certain parts of an aircraft, does not apply to the operation of an aircraft if regulation 138.410 applies and the requirements prescribed by the Part 138 MOS are complied with. (Under the CAR a permission under subregulation 250 (2) was required).</p> <p>For classes of external loads, refer to section 2.01 of the Part 138 MOS.</p> <p>When not conducting an <i>external load operation</i> in accordance with the prescribed requirements, regulation 91.200 applies.</p> <p>Other provisions 138.010 Definition of <i>aerial work operation</i> etc (includes the definition of <i>external load operation</i>) 138.305 Carriage of passengers—general Part 138 MOS Chapter 2 Part 138 MOS Chapter 11 138.370 Operator must conduct risk assessments (a new requirement). Part 138 MOS Chapter 13</p>
251	Seat belts and safety harness	138.375	Wearing of seatbelts and other restraint devices	Chapter 14	91.540	Means of passenger communication		<p>Regulation 91.550 of CASR prescribes the requirements for seating and wearing of seatbelts by flight crew members. Regulation 138.375 and the Part 138 MOS prescribe the requirements about the wearing of seatbelts that must be met during an aerial work operation.</p> <p>Regulation 91.555 of CASR prescribes the requirements for seating and wearing of seatbelts by crew members other than flight crew. During an aerial work operation, regulation 91.555 does not apply and the requirements about wearing seatbelts and other restraint devices are prescribed by regulation 138.375 and Chapter 14 of the Part 138 MOS.</p> <p>Other provisions 91.535 Crew safety during turbulence 91.570 Passengers—safety directions by pilot in command 138.305 Carriage of passengers—general</p>
					91.545	Seating for persons on aircraft		
					91.550	Seating for flight crew members		
					91.555	Seating for crew members other than flight crew members		
					91.560	Restraint of infants and children	Chapter 20 Division 20.2	
91.565	Passengers—safety briefings and instructions	Chapter 20 Division 20.3						



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
								Part 138 MOS Chapters 2 Part 138 MOS Chapter 11 (11.06) Subpart 138.K—Equipment Part 138 MOS Chapter 22 (22.07)
252	Provision of emergency systems etc	Subpart 138.K	Equipment	Chapter 22 (22.08)	Subpart 91.K	Equipment	Chapter 26 Divisions 26.11, 26.12, 26.13, 26.14, 26.15	Other provisions 138.345 Survival equipment procedures
252A	Emergency locator transmitters	—			Subpart 91.K	Equipment	Chapter 26 Division 26.12	'Automatic ELT' and 'survival ELT' replace the terms 'approved ELT' and 'approved portable ELT', respectively. Apart from a minor technical amendment included in the requirements for an automatic ELT, details are unchanged.
253	Emergency and life-saving equipment	138.475	Composition, number, qualifications and training	Chapter 23	91.565	Passengers—safety briefings and instructions	Chapter 20 Division 20.3	Other provisions 201.022 Carriage of medicines—relationship with other laws
		138.485	Competence					
		138.540	Composition, number, qualifications and training	Chapter 24				
		138.580	Training and checking	Chapter 25				
254	Exits and passageways not to be obstructed	—			91.600	Carriage of cargo—general		
255	Smoking in aircraft	—			91.530	When smoking not permitted		Smoking is now taken to include electronic cigarettes.
256	Intoxicated persons not to act as pilots etc or be carried on aircraft	—			91.520	Crew members to be fit for duty		Other provisions 91.525 Offensive or disorderly behaviour on aircraft 91.780 Passengers—alcohol 91.785 Crew—provision of alcohol
					91.790	Prohibiting person affected by psychoactive substances from boarding		
256AA	Offensive and disorderly behaviour	—			91.525	Offensive or disorderly behaviour on aircraft		
					91.785	Crew—provision of alcohol		
					91.790	Prohibiting person affected by psychoactive substances from boarding		
256A	Carriage of animals	—			91.620	Carriage of animals	Chapter 20 Division 20.4 (reserved)	Regulation 91.620 of CASR simplifies the rules for the carriage of animals. Approval to carry an animal on an aircraft may be granted by the pilot in command. CASA approval is not required.



Civil Aviation Regulations 1988		Part 138 of CASR		Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
257	Aerodrome meteorological minima	—			91.307	IFR take-off and landing minima	Chapter 15	
					91.315	Taking off and landing in low visibility		Under regulation 91.315 of CASR, low visibility operations at an aerodrome are authorised via an approval under regulation 91.045 (previously authorised by an exemption).
258	Flights over water	—			—			<p>This provision will be repealed.</p> <p>A specific engine failure over water rule has not been prescribed by Part 138 of CASR; however, the flight below minimum height rules and performance rules put in place requirements related to engine failure.</p> <p>Other provisions Part 138 MOS Chapter 1 – definition of <i>suitable forced landing area</i> Subpart 91.K—Equipment Part 91 MOS Divisions 26.12 and 26.14 Subpart 138K—Equipment Part 138 MOS Chapter 22 (22.06, 22.08) Part 135 MOS Chapter 8—Prescribed single-engine aeroplanes 91.240 Flight notifications Part 91 MOS Chapter 9 91.630 Use of radio—broadcasts and reports Part 91 MOS Division 21.1 (21.07)</p>
259	Manned free balloons	—			—			
260	Manned fixed balloons and kites	—			—			
262	Carriage of examiners	—			—			This provision will currently remain in the CAR.
Division 5—Airborne collision avoidance systems—turbine-powered commercial aeroplanes								
262AA - 262AJC	Airborne collision avoidance systems—turbine-powered commercial aeroplanes	—			—			
Division 6—Operating limitations for aircraft certificated in certain categories and experimental aircraft								
262AK – 262AS		—			—			
Part 16—Refusal to grant, and suspension and cancellation of, approvals, authorities, certificates and licences								
263 – 272A		—			—			These provisions will currently remain in the CAR.
Part 17—Penal provisions and prosecutions								
282	Offences in relation to licences, certificates and	—			—			This provision will currently remain in the CAR.



Civil Aviation Regulations 1988		Part 138 of CASR	Part 138 MOS	Part 91 of CASR		Part 91 MOS	Comments
	authorities						
286	Stowaways	—		91.060	Unauthorised travel or placing of cargo on aircraft		
287	Power of Court to order returns etc to be furnished	—		—			These provisions will currently remain in the CAR.
288	Detention of aircraft	—		—			
289	Creation of fire hazard	—		—			
290	Firearms—Federal airports	—		—			
291	Stationary aircraft within precincts of an aerodrome	—		—			This provision will currently remain in the CAR. Other provisions 91.420 Parked aircraft not to create hazard
292	Aircraft on movement area to be reported	—		—			These provisions will currently remain in the CAR.
293-296J		—		—			
Part 18—Evidence							
297	Evidence	—		—			This provision will currently remain in the CAR.
Part 19—Miscellaneous							
297A - 306		—		—			These provisions will currently remain in the CAR.
309	Powers of pilot in command	—		91.215	Authority and responsibilities of pilot in command		
				91.220	Actions and directions by operator or pilot in command		
				91.225	Crew members—power of arrest		
				91.525	Offensive or disorderly behaviour on aircraft		
				91.790	Prohibiting person affected by psychoactive substances from boarding		
309A	Instructions about activities on board aircraft	—		91.215	Authority and responsibilities of pilot in command		Other provisions 91.170 Operation of portable electronic devices 91.525 Offensive or disorderly behaviour on aircraft
				91.220	Actions and directions by operator or pilot in command		



Civil Aviation Regulations 1988	Part 138 of CASR	Part 138 MOS	Part 91 of CASR	Part 91 MOS	Comments
			91.570	Passengers—safety directions by pilot in command	
			91.575	Passengers—compliance with safety directions	