



Australian Government

Civil Aviation Safety Authority

Industry Delegates Management Manual

VERSION 2.0: MAY 2011

Industry Delegates Management Manual

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You should always refer to the applicable provisions of the *Civil Aviation Act*, Civil Aviation Regulations and Civil Aviation Orders, rather than this manual, to ascertain the requirements of, and the obligations imposed by or under, the civil aviation legislation.

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Foreword

As a Commonwealth government authority, CASA must ensure that its decision making processes are effective, fair, timely, transparent, consistent, properly documented and otherwise in accordance with the requirements of the law.

Most of the regulatory decisions CASA makes are such that conformity with authoritative policy and established procedures will be conducive to the achievement of these outcomes. From time to time, however, decision-makers will encounter situations in which the strict application of policy, in the making of a decision involving the exercise of discretion, would not be appropriate. Indeed, in some cases, the inflexible application of policy may itself be unlawful.

This preface and the following Introduction, explains the way in which the policy and processes set out in this manual are to be used by all CASA's personnel when making decisions in the performance of their functions, the exercise of their powers and the discharge of their duties. It also explains the processes to be followed if it appears that a departure from policy is necessary or appropriate.

Mandatory Use of Policy and Procedure Manuals

This manual is one of the set of manuals and other documents which comprise CASA's authorised document set. The authorised document set contains the policy, processes and procedures with which CASA personnel are expected to comply when performing assigned tasks. All CASA personnel are required to have regard to the policies set out in this manual. Except as described in the Introduction, CASA decision-makers should not depart from these policies, processes and procedures.



John F. McCormick
Director of Aviation Safety

Introduction

Regulatory Decision Making

Where the legislation provides for one, and only one decision—the “correct” decision—is the only decision open to CASA. However, most of the decisions CASA makes involve the exercise of discretion. In such cases, there may well be more than one acceptable or correct decision. In these cases, the law requires that CASA makes the “preferable” decision, that is, the most appropriate decision, having regard to the overriding interests of safety and the obligation to be fair.

In all such cases, CASA is bound to act in accordance with the applicable rules of administrative law. These rules govern how CASA arrives at the ‘preferable’ decision in any given case. Adherence to these rules is a requirement, not an option. Decisions and actions taken in contravention of these rules are unlawful, unenforceable, and in most cases invalid. CASA is legally accountable for the decisions it makes, and CASA decision-makers are obliged to avoid the appearance, as much as the reality, of unlawful decision-making.

Sound and lawful regulatory decision-making is generally governed by the 10 rules of administrative law summarised below. Adherence to these rules is essential to CASA’s obligations of accountability and good governance.

1. **Natural Justice** (Procedural Fairness)
 - **Hearing Rule.** Persons affected by CASA’s decisions have a right to be heard. To be meaningful, the hearing rule normally requires that CASA provides persons with notice (usually in advance) that a particular decision is going to be taken, and the **reasons** for the decision CASA proposes to take. Without notice and a statement of reasons, there may be little point to providing a person with an opportunity to be heard.
 - **Rule Against Bias.** Decision-makers should not have a **personal** or **pecuniary interest** in the outcome of their decisions. Neither may decision-makers prejudice (or **pre-determine**) matters in respect of which they are called upon to make a decision.
2. A decision-maker must not act for **improper purposes**. Even if the purposes for which a particular decision are lawful, the decision may only be taken for the purposes specifically authorised by the law under which the decision has been taken.
3. A decision-maker must not take any **irrelevant considerations** into account in coming to a decision.
4. A decision-maker must take all **relevant considerations** into account in coming to a decision.



Note: Applicable Policy is Always a Relevant Consideration.

5. A decision-maker must act on the basis of **evidence**, not mere supposition or speculation.
6. A decision-maker must not formulate requirements in **vague** or **uncertain terms**.
7. A decision-maker must not **inflexibly apply policy** (although departures from policy will normally need to be justified).
8. A decision-maker must not **act under dictation** (although this does not preclude adherence to formal directions, compliance with lawful conditions in relation to the process by which a decision is taken or the obligation to consult in the process of considering a decision).
9. A decision-maker must decide the matter within a **reasonable time**.
10. A decision maker must not act in a way that is manifestly **unreasonable**. A decision must not be so unreasonable that no reasonable person would make such a decision.

Note: The meaning and application of these principles, and related considerations of administrative law, are covered more fully in the induction and orientation training undertaken by all CASA employees. Any questions in relation to these matters should be referred to the Legal Services Division.

Departure from Authorised Policy

Adherence to CASA's authorised policies will almost always produce an appropriate decision. As said, however, from time to time there will be circumstances in which the strict application of policy may not result in the "preferable" decision. In these cases it may be appropriate (and possibly necessary) to depart from otherwise applicable policy.

Any departure from policy must be justified in order to ensure that it:

- Is genuinely necessary in the interests of fairness;
- Does not inappropriately compromise the need for consistent decision making; and, of course,
- Is not in conflict with the interests of safety.

Without fettering a decision-maker's discretion, it is therefore expected that appropriate consultation will occur before a decision is made that is not the product of the policies and processes set out in this manual. The prescribed consultation process is described below.



Consultation Process

Decision-Maker's Responsibilities

When a decision-maker believes there is a need to depart from policy he or she is expected to consult with his or her direct supervisor. This process should be initiated in writing:

- Setting out the pertinent facts and circumstances;
- Identifying the provisions of the policy normally applicable;
- Stating why the application of that policy would not result in the making of the “preferable” decision in the circumstances to hand; and
- Specifying the approach the decision-maker believes is more likely to result in a “preferable” decision.

Supervisor's Responsibilities

In considering a consultative referral, the decision-maker's supervisor should:

- Advise the decision-maker as to whether his or her assessment of the relevant considerations appears to be complete and correct;
- If, in the opinion of the supervisor, the circumstances do not warrant a departure from policy, provide the decision-maker with written advice and guidance as to how the decision might more properly be approached within the current policy framework;

Note: Reliance on relevant precedent is a sound basis on which to ground such an opinion. It may also be helpful to seek advice from peers, superiors and/or CASA's Legal Services Division.

- If, in the opinion of the supervisor, a departure from policy is warranted, the supervisor should ensure the policy sponsor (normally the relevant Executive Manager) is advised of:
 - i. The intention to depart from the otherwise applicable policy; and
 - ii. The alternative approach the decision-maker will be taking to the matter.

The supervisor should ensure that a full written record of these actions is made and maintained.



Note: In no case may the terms of decision be dictated to a delegate authorised to exercise discretionary decision-making powers.

If a decision-maker's supervisor or the policy sponsor is not satisfied that the decision the decision-maker intends to make is the correct or preferable decision in all the circumstances, responsibility for that decision should be assumed by, or assigned to, another authorised delegate in accordance with appropriate processes and procedures.

Policy Sponsor's Responsibilities

If the policy sponsor concurs in the proposed departure from policy, he or she should ensure the decision-maker is advised accordingly as soon as possible.

If the policy sponsor does not believe the proposed departure from policy is warranted, he or she should:

- Advise the supervisor accordingly;
- Assume responsibility for the decision;
- Ensure that the decision-maker and any person affected by the decision (for which the policy sponsor has assumed responsibility) is advised accordingly; and
- Make the decision in a manner consistent with the applicable policy.

The policy sponsor should ensure that a full written record of these actions is made and maintained.

Nothing in these processes should be interpreted or applied so as to dictate the terms of the decision to be made by a decision-maker authorised to make discretionary decisions under the civil aviation legislation, or to delay unreasonably the making of such decisions.

Revisions to Policies and Manuals

As a result of experience in applying policies and procedures, users will form views as to accuracy, relevance and applicability of the content.

CASA personnel are required to provide recommendations for revisions to policies and processes in this or any other manual should they become aware of shortcomings. In this way the policies and manuals will be continually improved and remain relevant to the tasks being undertaken.

Each policy and manual has a sponsor and recommendations for amendment are to be forwarded to the relevant individual for consideration. The revision process can be accessed via the link http://casconnect/manuals/doc_control/process.htm

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Preface

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1.1.1 Background

The [Civil Aviation Act 1988](#) and the [Civil Aviation Regulations 1988](#) vest specific regulatory powers in “CASA” or authorised persons. These powers include powers to approve activities, issue permissions to conduct activities which would otherwise be prohibited and to issue exemptions against regulatory requirements.

As CASA is a statutory authority, these powers at least need to be exercised by individual officers in CASA. The legislation also recognises that in certain circumstances it may be appropriate for industry personnel to exercise some of these powers.

[CAR 6, 7](#)
[CASR](#)
[11.260](#)
[201.001](#)

The Director may delegate CASA’s powers and functions under [regulation 7](#) of the *Civil Aviation Regulations 1988* (CAR) or [regulation 11.260](#) of the *Civil Aviation Safety Regulations 1998* (CASR) to any person, including a person who is not employed by CASA.

In addition, the Director, or his delegate, may appoint a person, including a person who is not employed by CASA, to be an ‘authorised person’ pursuant to [CAR 6](#) or [CASR 201.001](#).

Authorised Persons – How They Differ from Delegates

An authorisation is a legal mechanism that allows an individual to do something for the purposes of the legislation that he/she would not otherwise be able to legally do. The Director can appoint people as an authorised person for the purposes of the Regulations. Specific regulations make provision for persons to be authorised to do certain things.

An authorisation is just that – an authorisation to perform a specific task or function. It is not the same as a Delegation. A Delegation vests a person with CASA’s power whereas an authorisation relates only to a specific task associated with the exercise of a power.

[CAR 6, 7](#)
[CASR](#)
[11.260](#)
[201.001](#)
[139.320](#)

A person who is not a CASA officer (“Industry personnel”) appointed as either a delegate under [CAR 7](#) or [CASR 11.260](#), or an authorised person under [CAR 6](#) or [CASR 201.001](#), will be referred to simply as ‘delegates’ for the purposes of this manual, unless specified otherwise.

There are other specific approvals that can be given by someone authorised by the Regulations to give them, but which are not a delegation or authorisation. Some such approvals have been included in this manual, specifically approvals under [CASR 139.320](#) to conduct aviation safety inspections and [CASR 139.200](#) to conduct flight checks of aerodrome lighting systems. The term ‘delegate’ when used in this manual is intended to include industry personnel holding these approvals, unless specified otherwise.

1.2.1 Purpose

This manual replaces the 'Industry Delegates and Authorised Persons Management Manual' and establishes the CASA procedures for managing industry delegates and the authority and responsibilities of delegates in exercising CASA's powers and functions.

Where relevant procedures currently exist in other manuals, references to those manuals have been provided wherever possible rather than replicating those procedures in this manual. Further information may be incorporated into this manual in future if appropriate.

Specific procedures covered in this manual include the following areas:

- Delegation of CASA's powers to industry
- Exercise of CASA's powers by industry delegates
- Appointment of industry delegates
- Industry delegate training
- Industry delegate oversight
- Renewal of industry delegations
- Revocation of industry delegations.

Further standardised procedures will be incorporated into this manual as they are developed.

1.3.1 Responsibilities

The Delegate Management branch has the responsibility for the following matters relating to CASA's delegates:

- Maintaining delegate policy
- Establishing and maintaining delegate appointment criteria
- Standardisation
- Instrument drafting
- Ongoing oversight advice to operational groups
- Point of contact for advice and support to the delegate community.

The branch can be contacted by email at delegate.management@casa.gov.au, by phone via CASA's switchboard on 131 757, or by mail to GPO Box 2005, Canberra, ACT, 2601.

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2.1.1 Principles

CASA will only delegate powers to a person once it has:

- Identified and documented the competencies needed to be demonstrated and criteria to be met by delegates in relation to the complexity of issues that may arise in exercising the power;
- Confirmed the availability of suitable individuals in industry with the necessary expertise, experience and qualifications to make a proper decision under the delegated power;
- Ensured that systems are in place to monitor and evaluate the quality of decision making, and identify particular cases where corrective action may be required;
- Ensured that adequate information is available to individuals who may exercise the delegated power;
- Identified any appropriate conditions or limitations to be included;
- Established that CASA has the ability to oversight the exercise of the delegated power; and
- Ensured the person has appropriate written procedures to ensure they can exercise the power properly and lawfully.

CASA may still exercise a power that has been delegated. The fact that a power has been delegated does not deprive CASA of that power. It is possible for CASA to exercise the power through its officers, although one or more persons may also exercise the power through delegation.

A delegation is a privilege, not a right, and not every qualified industry applicant will be granted a delegation. CASA is solely responsible for determining if there is sufficient need to justify the appointment of a delegate, and that there are adequate CASA resources available to manage the delegate. If either of these conditions cannot be met, or for any other reason that CASA prescribes, the delegate appointment will not be made.

A person may be appointed as more than one type of delegate, as long as all appointment criteria are met. In such cases, separate appointments will be made and separate instruments issued. If the delegations are in separate areas of technical discipline different areas of CASA may be responsible for oversight of the same delegate.



CAR 6, 7
CASR
201.001
11.260

When appointing a delegate, the Director or appropriate CASA employee making the appointment may do so subject to conditions. These conditions impose limitations on the manner in which the delegate may exercise the particular power or function being given to them. The conditions are imposed under CAR 6(2) or CASR 201.001(2) in the case of authorised persons, and under CAR 7(2) or CASR 11.260(3) in the case of delegates.

When a delegation to an industry person is made, the delegate is subject to regulations, supervision, and review. Delegate oversight constitutes the supervision and review of delegates and is the process by which CASA compares delegate performance to stated expectations.

Renewal of a delegation is subject to CASA's determination of the continued need for and ability to manage the delegate.

CASA may revoke a delegation if it determines that the appointment is not warranted in accordance with the revocation considerations detailed in this manual.

2.2.1 Powers and Functions

Powers and functions which will be delegated to industry are usually limited to those in the following tables, although others may be delegated from time to time in order to meet particular needs.

Airworthiness

Delegates exercising powers related to airworthiness are the responsibility of the CASA Operations Division for oversight purposes. Individual delegates are generally assigned to the CASA Operations Regional Office best suited to maintain appropriate oversight of that delegate. Specifically, this means delegates appointed the following powers:

Instrument of Appointment (IOA) as an authorised person:

CAR 29A	Conduct welding examination
CAR 42M	Approve a system of maintenance for an aircraft
CAR 42R	Approve a variation to a system of maintenance for an aircraft
CAR 42ZC(7)	Approve a person to carry out maintenance on Class A aircraft
CAR 42ZS	Grant an exemption from or variation of a prescribed regulation in relation to an aircraft
CAR 43	Issue maintenance releases in respect of Australian aircraft
CAR 262AP(5)	Authorise operations of experimental category aircraft over built-up area
CAR 262AP(6)	Authorise operations of experimental category aircraft other than by day and under Visual Flight Rules (VFR)
CASR 21.176	Issue standard certificate of airworthiness
CASR 21.195A	Issue experimental certificate
CASR 21.200	Issue a special flight permit
CASR 21.324	Issue an export airworthiness approval

Instrument of Delegation (IOD):

CAR 2A	Approve maintenance data
CAR 37	Approve a defect or damage as a permissible unserviceability
CAR 42ZC(6)	Approve a person to carry out maintenance on aircraft, components or materials



Manufacturing

Oversight of delegates exercising powers related to manufacturing is the responsibility of the Manufacturing section within the Safety Oversight branch of the CASA Operations Division. Specifically, this means the following delegated power:

Instrument of Appointment (IOA) as an authorised person:

CASR 21.303(4)	Approval of design data for Australian Parts Manufacturing Approval (APMA)
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Flying Operations

To be included in a future revision.

Flight Training and Testing

To be included in a future revision.

Design Approval

Delegates with design approval powers are managed by the Airworthiness and Engineering Branch within CASA's Standards Development and Future Technology Division. The design approval functions are specifically the following:

Instrument of Appointment (IOA) as an authorised person:

CAR 35	Approval of design of a modification or repair
CAR 36	Approval of aircraft components for use as replacements
CAR 36A(3A)	Approval of use of aircraft materials
CASR 21.033(3)	Making finding of compliance with the applicable airworthiness standards for certain aircraft to be type certificated in the primary or intermediate category
CASR 21.031(1)	Making finding of compliance with the applicable airworthiness standards and approval of type design data
CASR 21.095	Approval of minor changes in type design



Industry Delegates Management Manual

2. Delegation of CASA's Powers to Industry

2.2. Specific Delegated Powers

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Aerodromes

Responsibilities and processes relating to delegates exercising aerodrome-related powers are currently under review and will be included in a future revision. Specifically, these powers are:

'Approved persons' appointed under CASR 139.320:

CASR 139.315	Conduct aerodrome safety inspections at registered aerodromes
CASR 139.345	Conduct aerodrome safety inspections at certain aeroplane landing areas (ALAs)

'Approved pilot' appointed under CASR 139.200:

CASR 139.200	Conduct flight checks of aerodrome lighting system
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Industry Delegates Management Manual

2. Delegation of CASA's Powers to Industry

2.2. Specific Delegated Powers

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3.1.1 Introduction

All delegates must be familiar with and have ready access to all appropriate CASA publications and documents, and should not exercise any power until the necessary access has been obtained.



3.2.1 Making Decisions

Before making a decision, a delegate must:

- Ensure that he or she is entitled to do so under the terms of the authorisation or delegation
- Ensure that he or she makes that decision in a manner that will stand up to administrative or judicial review.

In making decisions, delegates are expected to act in accordance with the applicable rules of administrative law as detailed in the [Preface](#) to this manual.



3.3.1 Seeking a Remedy

A person who considers that he or she has been the victim of an unfair decision may seek a remedy under various Commonwealth Acts, such as:

- Administrative Appeals Tribunal Act 1975
- *Administrative Decisions (Judicial Review) Act 1977 (ADJR Act)* or *Judiciary Act 1903* section 39B.

Other avenues for remedy are:

- Review of decisions by the Commonwealth Ombudsman
- Review of decisions by CASA's Industry Complaints Commissioner
- Request for information under the Freedom of Information
- Reliance on anti-discrimination legislation
- A civil action for damages resulting from unlawful or improper decision making.

3.3.2 Remedies under Commonwealth Acts

Merits Review under the Administrative Appeals Tribunal Act 1975

CAR 297A
CASR
201.004
CAA s31

In most circumstances, a delegate's action may be reviewed by the Administrative Appeals Tribunal (AAT) under the Administrative Appeals Tribunal Act 1975. This is a review of the decision on the merits of the case, or 'merits review', and the AAT decides what is the correct or preferable decision in the circumstances. The AAT's jurisdiction in relation to decisions of CASA is set out in [CAR 297A\(31\)](#), and [CASR 201.004](#) as well as [s.31 of the Civil Aviation Act 1988](#).

Judicial Review in the Federal Court

A person affected by a particular decision may seek a 'judicial review' (a review by the Federal Court) of that decision. A person may institute proceedings in the Federal Court for a review of the legality of a delegate's decision under the [Administrative Decisions \(Judicial Review\) Act 1977 \(ADJR Act\)](#) or [Judiciary Act 1903](#) section 39B. A person may also appeal to the Federal Court on a question of law from a decision made by the AAT.

The court looks at the legality of the decision which it is called upon to review, and most often the process for making the decision, without considering whether the decision was the correct or preferable decision in the circumstances. All decisions made, or claimed to be made, by a delegate under the [Civil Aviation Act 1988](#), [CAR \(1988\)](#) and [CASR \(1998\)](#) and under the Civil Aviation Orders are subject to judicial review. In judicial review there is no consideration of the merits of the case, only whether the decision was lawfully made.

3.3.3 Review by the Commonwealth Ombudsman

Under the [Ombudsman Act 1976](#), the Commonwealth Ombudsman functions as a watchdog over administrative decision making, by investigating complaints and making recommendations to the agency whose actions are being investigated. The Ombudsman has wide-ranging powers to obtain information.

The types of administrative actions that may be investigated include the making of a decision, the making of a recommendation, the formulation of a proposal, and the failure or refusal to do any of these things.

The Ombudsman has no power to set aside an administrative decision, or to substitute his own decision. He or she must determine if there has been any defect in the administrative action and to report that fact, along with recommendations to the appropriate agency (CASA).

The Ombudsman may consider that an administrative decision was defective for a number of reasons including that it:

- Appears to be contrary to law
- Was unreasonable, unjust, oppressive or improperly discriminatory
- Was in accordance with a rule of law, a provision of an enactment or a practice, but the rule, provision or practice may be unreasonable, unjust, oppressive or improperly discriminatory
- Was based either wholly or partly on a mistake of law or of fact
- Was otherwise, in all the circumstances, wrong.

If, after reporting to CASA any instance of defective administration, no appropriate action is taken, the Ombudsman may bring the matter to the attention of the responsible Minister and the Parliament.

3.3.4 Industry Complaints Commissioner (ICC)

The primary role of the ICC is to provide members of the industry, the wider aviation community and the public with a way to make a complaint about the behaviour of CASA personnel and industry delegates, and to ensure that legitimate complaints are objectively considered, effectively addressed and fairly resolved in a timely fashion.

The ICC operates independently of CASA's technical and operational line management, under the guidance and, where necessary, the direction of CASA's Ethics and Conduct Committee.

The ICC's functions complement but do not replace or supersede those of the Commonwealth Ombudsman, the Administrative Appeals Tribunal or the Federal Court.

The ICC has no power to set aside decisions or to issue orders to persons administering legislation, but can express an opinion about whether or not any decision under consideration has been arrived at properly. In general, the ICC does not investigate decisions which are amenable to AAT or Federal Court review.

3.3.5 Discrimination

If a delegate takes into account such things as a person's race or gender when making a decision, he or she may expose the action to judicial review under the ADJR Act, where such matters are 'irrelevant considerations'. In addition, the delegate who makes such a decision may have breached relevant provisions of the Commonwealth's racial discrimination or sex discrimination legislation. These provisions must be borne in mind when a delegate exercises any powers under the [Civil Aviation Act 1988](#) and the [Civil Aviation Regulations 1988](#).

The [Racial Discrimination Act \(1975\)](#) outlaws racial discrimination. The act aims to ensure that everyone enjoys human rights and fundamental freedoms regardless of race, colour, descent, place of origin, ethnic origin or, in some cases, immigrant status.

The [Racial Hatred Act \(1995\)](#) extends the coverage of the Racial Discrimination Act to allow people to complain to the Australian Human Rights Commission about offensive, insulting, humiliating or intimidating behaviour based on race, colour, or national or ethnic origin.

The [Sex Discrimination Act \(1984\)](#) makes it unlawful to discriminate against a person because of their sex, marital status, pregnancy or potential to become pregnant; or to dismiss a person from their job because of their family responsibilities; or to sexually harass a person.

The [Disability Discrimination Act 1992](#), which prohibits a person from treating another less favourably because of that person's disability.

3.3.6 Civil Liability—Actions Against CASA or Delegates

A person may be so dissatisfied with actions of CASA that they may decide to sue CASA for negligence or for breach of a legally recognised right. This is not the place to discuss the law relating to negligence or the circumstances under which CASA (and in some cases a delegate) may be found liable for damages as a result of a failure to observe the rules and principles of administrative law. However, it is important to keep in mind that where it can be shown that, in the process of exercising the decision making powers under legislation, a delegate has acted negligently, CASA may be held liable to pay the costs associated with any harm or injury a person may have suffered as a direct and proximate result of that action or, as the case may be, a failure to act.

3.3.7 Protection of Delegates

Delegates may be personally liable for their actions as delegates. They can be sued in a civil court or in a criminal court. CASA will indemnify delegates against any liability or loss arising from the exercise of powers or the performance of functions carried out on behalf of CASA, where those powers or functions are within the scope of the delegation. CASA will not indemnify delegates against liabilities or losses arising from the exercise of powers or the performance of functions which are outside the scope of the delegation or which are exercised or performed with reckless disregard. Delegates will need to advise CASA of legal claims for damages against the delegate, which may require CASA to make a claim against CASA's insurance.

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4.1.1 Introduction

This section details the criteria that an applicant is expected to meet before a delegation is issued. If a person does not meet any of the criteria, they would be expected in their application to explain why they have the ability to be a delegate. For powers other than those detailed in this section, applicants should contact the Delegate Management branch for information regarding the criteria that should be met.

4.2.1 CAR 29A – Instrument of Appointment – Conduct welding examination

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to conduct aircraft welding examinations.

Scope of the authorisation

A person applying for appointment to conduct aircraft welding examinations may apply to conduct examinations in one or more of the following weld types:

- Type 1 – gas welding
- Type 2 – braze welding
- Type 3 – manual metal arc welding
- Type 4 – gas tungsten arc welding
- Type 5 – gas metal arc welding
- Type 6 – plasma arc welding.

Qualifications

There are no mandatory qualifications required to be held by an applicant however one or more of the following credentials will be an advantage.

- A Welding Authority issued by CASA,
- A Welding Authority issued by a recognised NAA
- Accreditation by the Welding Technology Institute of Australia
- Accreditation by the TWI World Centre for Materials Joining Technology
- Accreditation by the American Welding Society.

Note: Evidence of equivalent qualifications (military or overseas) may be taken into account and will be subject to review by on a case-by-case basis.



Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that will demonstrate the applicants competence in relation to each weld type sought.

For example, an applicant may have experience as a welding lecturer at a Recognised Training Organisation such as TAFE College or approved training school, or have experience as a welding supervisor in a recognised welding organisation.

Note: Evidence of equivalent experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

Knowledge

Each applicant will be asked to demonstrate the following at interview:

- An in depth understanding of, and the ability to describe the processes, methods, materials (material science and metallurgy) and use of welding equipment (welder, gasses, electrodes etc) applicable to each weld type
- Sound knowledge regarding the application of aviation regulations, relevant Advisory Circulars, CASA policies & procedures and
- A working knowledge of CAAP 29A-1 and CAAP 33-1.

Note: An interview of the applicant will normally be required to ensure that the applicant can demonstrate they meet this criterion.

4.2.2 CAR 42M (& 42R) – Instrument of Appointment – Approve a system of maintenance, or approve changes to a system of maintenance

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to approve a system of maintenance (SOM), or a change to a system of maintenance for an Australian aeroplane, helicopter or manned free balloon.

Scope of the authorisation

A person may apply to approve a SOM or a change to a SOM for:

- Aeroplanes that have a certificated seating capacity of 38 seats or more (High Capacity) or
- Aeroplanes that have a certificated seating capacity of less than 38 seats (not High Capacity) or
- Helicopters or
- Aeroplanes and helicopters where the Maintenance Review Board Document is based on MSG 3 principles or later or
- Aeroplanes and helicopters where the system includes a Reliability Program or
- Aeroplanes where the aircraft is approved for Extended Range Twin Engine Operations (ETOPS) or
- Aeroplanes where the aircraft is approved for Reduce Vertical Separation Minima (RVSM) or
- Aeroplanes where the aircraft is approved for Required Navigation Performance (RNP) or
- Aeroplanes where the aircraft is approved for operations to minima less than Cat 1 precision approach, or take-off with less than 800 meters visibility or RVR (Low Visibility Operations).
- Manned free balloons.

Note: Persons authorised to approve a SOM under CAR 42M will also be authorised to approve changes to a SOM under CAR 42R as a matter of course.

Persons may apply for powers under CAR 42R only should they wish to do so.



Note: Persons outside CASA will not be authorised to approve a SOM, or a change to a SOM to a special category aircraft.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue, the applicant must have successfully completed the CASA System of Maintenance course within 12 calendar months prior to application.

Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to approving a SOM, or changes to a SOM:

- Sound knowledge regarding the application of CARs, relevant Civil Aviation Advisory Publications, CASA policies & procedures
- A working knowledge of the following CAAP's 39-1, 41-1, 41-2, 42L-1, 42L-4, 42L-5, 42L-7, 42L-8 and 42M-2
- Current technical knowledge and experience commensurate with that required for approving systems of maintenance, or changes to systems of maintenance
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets, Airworthiness Limitations and Certification Maintenance Requirements, Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- An understanding of the aims and philosophy of maintenance programs and schedules, and manufacturers instructions for continuing airworthiness in the development of, or variation to, a SOM
- How the requirements and development of supplementary maintenance programs such as a Supplemental Inspection Document, a Structural Integrity Program, a Corrosion Prevention and Control Program or aging aircraft programs, are applied to and integrated into a SOM
- Knowledge of the implications that modifications or repairs to the aircraft may have on the SOM
- The ability to identify deficiencies in a SOM and how corrective actions will be put in place to improve the system.



In addition, the applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

If the application relates to approving a SOM where the Maintenance Review Board Document is based on MSG 3 principles or later, the applicant will be asked to demonstrate the following in addition to the items mentioned above:

- An understanding of the development and analysis of the aircraft systems, structure, and zones using Maintenance Steering Group (**MSG**) type logic analysis processes resulting in the issue of a Maintenance Review Board Report or Document (**MRBR** or **MRBD**)
- Detailed knowledge of how MSG type philosophies are used to facilitate the development of maintenance requirements and
- Knowledge of how the MRB process is applied to a SOM.

If the application relates to approving a SOM where the system is to include a Reliability Program, the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications of this criterion:

- Knowledge of reliability monitoring programs and an ability to identify the unique requirements for various operational environments and types of operation
- Where a reliability based analysis program is required to substantiate variations to a SOM, detailed knowledge of how the program substantiates any variation, including:
 - The identification of parameters that provide for a realistic measure of the performance of aircraft systems, powerplants, components and structure
 - The collection of data in the program that will be used to assess operational reliability
 - The collation and analysis of data and how that data substantiates any variation to a SOM and
 - The presentation of data in a logical and structured way for correct decision making and record keeping.



If the application relates to approving a SOM where the aircraft is approved for Extended Diversion Time Operations (EDTO), the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for EDTO and how those operations, systems and procedures are applied too, and integrated into the SOM, including:
 - The requirements as listed in the Configuration Maintenance and Procedures (CMP) document and
 - The specific EDTO maintenance requirements.

If the application relates to approving a SOM where the aircraft is approved for Reduced Vertical Separation Minima (RVSM), the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for RVSM and how the maintenance requirements, systems and procedures are applied too, and integrated into the SOM

If the application relates to approving a SOM where the aircraft is approved for Required Navigation Performance (RNP), the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for RNP and how the maintenance requirements, systems and procedures are applied too, and integrated into the SOM

If the application relates to approving a SOM where the aircraft is approved for Low Visibility Operations, the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for low visibility minima (below CAT 1) and how the maintenance requirements for those operations, systems and procedures are applied too, and integrated into the SOM.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies one or more of the following:

- Minimum of 3 years experience in airworthiness management (relating to aircraft maintenance programs), maintenance or maintenance control of type certificated aircraft and



- For systems of maintenance generally, the functions leading up to the approval of at least two systems of maintenance
- In relation to a SOM where the Maintenance Review Board Document is based on MSG 3 principles or later, the functions leading up to the approval of at least two SOM's based on MSG-3 principles
- In relation to a SOM where the system is to include a Reliability Program a declaration of competence from CASA with regard to the development of a Reliability Program
- In relation to a SOM where the aircraft is approved for EDTO, a declaration of competence from CASA with regard to the development of EDTO maintenance requirements
- In relation to a SOM where the aircraft is approved for RVSM, a declaration of competence from CASA with regard to the development of RVSM maintenance requirements
- In relation to a SOM where the aircraft is approved for RNP, a declaration of competence from CASA with regard to the development of RNP maintenance requirements
- In relation to a SOM where the aircraft is approved for Low Visibility Operations, a declaration of competence from CASA with regard to the development of Low Vis maintenance requirements.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

4.2.3 CAR 42R (only) – Instrument of Appointment – Approve changes to a system of maintenance for an aircraft

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to approve changes to a system of maintenance (**SOM**) for an Australian aeroplane, helicopter or manned free balloon.

Scope of the authorisation

A person may apply to approve changes to a SOM for:

- Aeroplanes that have a certificated seating capacity of 38 seats or more (High Capacity) or
- Aeroplanes that have a certificated seating capacity of less than 38 seats (not High Capacity) or
- Helicopters or
- Aeroplanes and helicopters where the Maintenance Review Board Document is based on MSG 3 principles or late or
- Aeroplanes and helicopters where the system includes a Reliability Program or
- Aeroplanes where the aircraft is approved for Extended Range Twin Engine Operations (ETOPS) or
- Aeroplanes where the aircraft is approved for Reduced Vertical Separation Minima (RVSM) or
- Aeroplanes where the aircraft is approved for Required Navigation Performance (RNP) or
- Aeroplanes where the aircraft is approved for operations to minima less than Cat 1 precision approach, or take-off with less than 800 meters visibility or RVR (Low Visibility Operations).
- Manned free balloons.

Note: Persons outside CASA will not be authorised to approve changes to a SOM for a special category aircraft.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.



Qualifications

For initial issue, the applicant must have successfully completed the CASA System of Maintenance course within 12 calendar months prior to application.

Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to approving changes to a SOM:

- Sound knowledge regarding the application of CARs, relevant Civil Aviation Advisory Publications (**CAAP**), CASA policies & procedures
- A working knowledge of the following CAAPs 39-1, 41-1, 41-2, 42L-1, 42L-4, 42L-5, 42L-7, 42L-8 and 42M-2
- Current technical knowledge and experience commensurate with that required for approving systems of maintenance, or changes to systems of maintenance
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets, Airworthiness Limitations and Certification Maintenance Requirements, Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- An understanding of the aims and philosophy of maintenance programs and schedules, and manufacturers instructions for continuing airworthiness in the development of, or variation to, a SOM
- How the requirements and development of supplementary maintenance programs such as a Supplemental Inspection Document, a Structural Integrity Program, a Corrosion Prevention and Control Program or aging aircraft programs, are applied to and integrated into a SOM
- Knowledge of the implications that modifications or repairs to the aircraft may have on the SOM
- The ability to identify deficiencies in a SOM and how corrective actions will be put in place to improve the system.

In addition, the applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought



- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

If the application relates to approving a SOM where the Maintenance Review Board Document is based on MSG 3 principles or later, the applicant will be asked to demonstrate the following in addition to the items mentioned above

- An understanding of the development and analysis of the aircraft systems, structure, and zones using Maintenance Steering Group (**MSG**) type logic analysis processes resulting in the issue of a Maintenance Review Board Report or Document (**MRBR** or **MRBD**)
- Detailed knowledge of how MSG type philosophies are used to facilitate the development of maintenance requirements and
- Knowledge of how the MRB process is applied to a SOM.

If the application relates to approving changes to a SOM where the system is to include a Reliability Program, the applicant will be asked to demonstrate the following in addition to the items mentioned above:

- Knowledge of reliability monitoring programs and an ability to identify the unique requirements for various operational environments and types of operation
- Where a reliability based analysis program is required to substantiate variations to a SOM, detailed knowledge of how the program substantiates any variation, including:
 - The identification of parameters that provide for a realistic measure of the performance of aircraft systems, powerplants, components and structure
 - The collection of data in the program that will be used to assess operational reliability
 - The collation and analysis of data and how that data substantiates any variation to a SOM and
 - The presentation of data in a logical and structured way for correct decision making and record keeping

If the application relates to approving changes to a SOM where the aircraft is approved for Extended Diversion Time Operations (**EDTO**), the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for EDTO and how those operations, systems and procedures are applied too, and integrated into the SOM, including:
 - The requirements as listed in the Configuration Maintenance and Procedures (**CMP**) document and
 - The specific EDTO maintenance requirements.



If the application relates to approving changes to a SOM where the aircraft is approved for Reduce Vertical Separation Minima (**RVSM**), the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for RVSM and how the maintenance requirements, systems and procedures are applied too, and integrated into the SOM

If the application relates to approving changes to a SOM where the aircraft is approved for Required Navigation Performance (**RNP**), the applicant will be asked to demonstrate the following in addition to the items mentioned above:

- Knowledge of the airworthiness and maintenance requirements for RNP and how the maintenance requirements, systems and procedures are applied too, and integrated into the SOM

If the application relates to approving changes to a SOM where the aircraft is approved for Low Visibility Operations, the applicant will be asked to demonstrate the following in addition to the items mentioned in Qualifications for this criterion:

- Knowledge of the airworthiness and maintenance requirements for low visibility minima (below CAT 1) and how the maintenance requirements for those operations, systems and procedures are applied too, and integrated into the SOM.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies one or more of the following:

Minimum of 3 years experience in airworthiness management (relating to aircraft maintenance programs), maintenance or maintenance control of type certificated aircraft and

- For changes to systems of maintenance generally, the functions leading up to the approval of at least two significant changes
- In relation to a SOM where the Maintenance Review Board Document is based on MSG 3 principles or later, the functions leading up to the approval of at least two SOM's based on MSG-3 principles
- In relation to a SOM where the system is to include a Reliability Program a declaration of competence from CASA with regard to the development of a Reliability Program
- In relation to a SOM where the aircraft is approved for EDTO, a declaration of competence from CASA with regard to the development of EDTO maintenance requirements



- In relation to a SOM where the aircraft is approved for RVSM, a declaration of competence from CASA with regard to the development of RVSM maintenance requirements
- In relation to a SOM where the aircraft is approved for RNP, a declaration of competence from CASA with regard to the development of RNP maintenance requirements
- In relation to a SOM where the aircraft is approved for Low Visibility Operations, a declaration of competence from CASA with regard to the development of Low Vis maintenance requirements.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

4.2.4 CAR 42ZC(7) – Approve a person to carry out maintenance on Class A aircraft

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to authorise another person to carry out maintenance on a Class A aircraft.

Scope of the authorisation

A person may apply to authorise another person to carry out maintenance on a Class A aircraft:

- For an aeroplane with a certificated seating capacity of more than 38 seats (High Capacity) or
- For an aeroplane with a certificated seating capacity of less than 38 seats (not High Capacity) and
- Where the applicant is employed by the operator or maintainer of the aircraft and
- Where the person being authorised is also employed by the same operator or maintainer of the aircraft.

The scope of maintenance that may be authorized by the appointed person must be detailed in the operators/maintenance organizations written procedures approved for use by the instrument holder.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

No professional or technical qualifications are required for this authorisation.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that is appropriate for issuing an authorisation.



Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to approving persons to carrying the specified maintenance:

- Sound knowledge regarding the application of the CAR and the CASRs, as well as relevant Advisory Circulars, CASA policies & procedures and
- A working knowledge of CAAP 30-4 as it relates to the control of work carried out on an aircraft and
- Administrative knowledge and experience commensurate with that required for issuing an authorisation and
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including conditions specifically related to:
 - The requirements of the COA holders procedures manual, or the operators MCM or
 - The requirements of the COA holders system of certification (as applicable) and
- An understanding of the conditions under which an authorisation may be suspended or cancelled.

Note: An interview of the applicant is required to ensure that the applicant can demonstrate they meet the criteria.

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA Airworthiness Standards Branch on a case-by-case basis.



4.2.5 CAR 42ZS – Grant an exemption from or variation of a prescribed regulation in relation to an aircraft

Purpose

CAR 42ZQ This criterion relates to applications for an appointment to be an authorised person for the purpose of approving a variation to a requirement specified in a prescribed regulation as set out in CAR 42ZQ.

Scope of the authorisation

A person may apply to vary a requirement that relates to one or more of the following categories:

- Airframe
- Engine
- Instrument
- Electrical, or
- Radio, or
- NDT.

Note: Instruments that permit variations of requirements in one of the above categories will include coverage for specialist maintenance tasks such as NDT processes, welding etc.

Qualifications

CAR 35 For initial issue, the applicant should:

- Be the holder of a valid instrument issued for the purposes of CAR 35 relating to the category or
- Have tertiary qualifications in a discipline relating to the instrument being applied for and at least five (5) years aviation engineering experience in that category, or
- For instruments limited to variations of NDT maintenance requirements only, hold AINDT Level 3 qualifications.



Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to maintenance requirements and the variation of those requirements:

- Knowledge of ICAO requirements in relation to aircraft type certification requirements including ICAO Annex 8 and ICAO Airworthiness Technical Manual
- Ability to find and interpret information relating to the requirements in the Australian civil aviation legislation for aircraft Type Certification, airworthiness and maintenance and operational aspects of aircraft
- Knowledge of and ability to use the information contained in life development/extension programs
- Knowledge of the standards that may apply to maintenance instructions, eg MIL spec, national standards, etc
- Ability to identify the relevant information contained in the following documents relating to the issue of Certificates of Airworthiness:
 - The Type Certificate and Type Certificate technical data sheets (TCDS) or equivalent,
 - The Aircraft Flight Manual (AFM),
 - The manufacturers instructions for continuing airworthiness - in particular airworthiness limitations including CMR's,
 - The weight and balance report for the aircraft,
 - Any flight test reports for the aircraft,
 - Any test flight reports for the aircraft,
 - The electrical load analysis report for the aircraft,
 - Any report providing details of the maintenance carried out on the aircraft such as modifications or repairs
- Supplemental Type Certificate
- Maintenance instructions for any roll equipment fitted to the aircraft from time to time
- The aircraft flight and technical records
- Certification Maintenance Procedures document
- Aircraft MEL and CDL.



The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

The experience requirements are set out in [Qualifications](#) of this criterion.



4.2.6 Authorise operations of experimental category aircraft over built-up area (CAR 262AP(5)), and other than by day and under V.F.R. (CAR 262AP(6))

Purpose

CAR 262AP This criterion relates to applications for a person to be appointed as an authorised person to authorise an experimental aircraft to operate over the built up area of a city or town under CAR 262AP (5) and operate other than by day and under V.F.R under CAR 262AP (6).

Scope of the authorisation

An instrument of appointment will only allow the person to authorise an experimental aircraft operate over the built up area of a city or town and/or operate other than by day and under V.F.R. where the person is authorised to issue the experimental certificate.

Qualifications

CASR 21.195A For initial issue, the applicant must be the holder of an instrument of appointment for CASR 21.195A to issue an experimental certificate.

Knowledge

CASR 21.191 The applicant must obtain a written declaration that the applicant has suitable underpinning and specific knowledge to authorise an experimental aircraft from:

- A person authorised to issue an experimental certificate for the same purpose under CASR 21.191, and to authorise an aircraft operate over the built up area of a city or town and/or operate other than by day and under V.F.R or
- A recognised representative organisation (SAAA, SAOG, RA Aus, etc).

Experience

CAR 262AP
CASR 21.191 The applicant must obtain a declaration of competence to authorise an experimental aircraft to operate over the built up area of a city or town under CAR 262AP (5) and operate other than by day and under V.F.R from:

- A person authorised to issue an experimental certificate for the same purpose under CASR 21.191, and to authorise an aircraft operate over the built up area of a city or town and/or operate other than by day and under V.F.R or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

4.2.7 CASR 21.176 – Issue certificates of airworthiness

4.2.7.1 Issue standard certificates of airworthiness (CASR 21.176 for CASR 21.183)

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to issue a standard certificate of airworthiness (CoA) for an Australian aeroplane, helicopter or manned free balloon except where the proposed certificate is the first to be issued following release of the aircraft from the production line of an Australian Production Certificate holder.

Scope of the authorisation

A person may apply to issue a standard certificate of airworthiness for one or more of the following:

- An aeroplane that has a certificated seating capacity of less than 38 seats (not High Capacity) or
- An aeroplane that has a certificated seating capacity of more than 38 seats (High Capacity) or
- A helicopter or
- A manned free balloon or
- An aircraft that is the first of its type registered in the Australian Aircraft Register.

Persons outside CASA will not be authorised to issue a certificate of airworthiness to a special category aircraft.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue, the applicant must have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application.

Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid.



Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to issuing special certificates of airworthiness in the restricted category:

- Sound knowledge regarding the application of CASRs, relevant Advisory Circulars, CASA policies & procedures
- A working knowledge of AC 21.2
- Current technical knowledge and experience commensurate with that required for issuing a certificate of airworthiness
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- An understanding of the conditions under which a special certificate of airworthiness may be suspended or cancelled.

In addition, the applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

In relation to aeroplanes with 38 seats or less, helicopters or manned free balloons, the applicant must have:

- A minimum of 3 years experience in airworthiness management, maintenance or maintenance control of type certificated aircraft of the type applied for and



- Carried out, under the supervision of CASA or a person authorised to issue standard certificates of airworthiness, the functions leading up to the issue of at least two standard certificates of airworthiness for aircraft similar to the type certification category of the scope of the instrument of appointment.

In relation to aeroplanes with more than 38 seats, the applicant must have:

- A minimum of 5 years experience in airworthiness management, maintenance or maintenance control of type certificated aircraft with a minimum of 3 years experience on Transport category aeroplanes and
- Carried out, under the supervision of CASA or a person authorised to issue standard certificates of airworthiness, the functions leading up to the issue of at least two standard certificates of airworthiness, one of which must be for an aeroplane with more than 38 seats.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

Where the applicant, at the time of application is authorised to issue standard certificates of airworthiness for aeroplanes with 38 seats or less and is upgrading to aeroplanes with more than 38 seats, the applicant must have carried out, under the supervision of CASA or a person authorised to issue standard certificates of airworthiness, the functions leading up to the issue of at least one standard certificates of airworthiness for an aeroplane with more than 38 seats.

In relation to issuing a certificate to an aircraft that is the first of its type on the Australian Register, the applicant must have carried out, under the supervision of CASA or a person authorised to issue a standard certificates of airworthiness, the functions leading up to the issue of at least one standard certificate of airworthiness for an aircraft that was the first of its type in Australia.

Note: The requirement set out in the previous paragraph is in addition to the experience requirements above, unless one of those samples was for an aircraft that is First of Type.



4.2.7.2 Issue special certificates of airworthiness for aircraft in the restricted category (CASR 21.176 for CASR 21.185)

Purpose

CASR
21.185

This criterion relates to applications for a person to be appointed as an authorised person to issue a special certificate of airworthiness (CoA) for an Australian aircraft in the restricted category in compliance with CASR 21.185.

Scope of the authorisation

A person may apply to issue a special certificate of airworthiness in the restricted category for:

- Aircraft (generally) or
- Aeroplanes that have a certificated seating capacity of more than 38 seats (High Capacity) or
- Unmanned aerial vehicles (UAV).

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue, the applicant must have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application.

Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid. This exemption does not apply to the renewal requirements for any instrument.

Knowledge

The applicant will be asked to demonstrate the following, at interview, relevant to issuing special certificates of airworthiness in the restricted category:

- Sound knowledge regarding the application of CASRs, relevant Advisory Circulars, CASA policies & procedures
- A working knowledge of AC 21.10
- Current technical knowledge and experience commensurate with that required for issuing special certificates



- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- An understanding of the conditions under which a special certificate of airworthiness may be suspended or cancelled.

In addition, the applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

Where the applicant, at the time of application is authorised to issue standard or other special certificates of airworthiness, must have carried out, under the supervision of CASA or a person authorised to issue special certificates of airworthiness in the restricted category, the functions leading up to the issue of at least one special certificate of airworthiness for aircraft similar to the scope being sought (eg more than 38 seats or less).

Where the applicant, at the time of application is **not** authorised to issue standard or other special certificates of airworthiness, must have carried out, under the supervision of CASA or a person authorised to issue special certificates of airworthiness in the restricted category, the functions leading up to the issue of at least two special certificates of airworthiness for aircraft similar to the scope being sought (eg more than 38 seats or less).

For persons who wish to issue experimental certificates to UAV's only, must have carried out, under the supervision of CASA or a person authorised to issue special certificates of airworthiness in the restricted category, the functions leading up to the issue of at least one special certificate of airworthiness for a UAV.



Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

4.2.7.3 Issue special certificates of airworthiness to light sport aircraft (CASR 21.176 for CASR 21.186)

Purpose

CASR
21.186

This criterion relates to applications for a person to be appointed as an authorised person to issue a special certificate of airworthiness (CoA) for an Australian Light Sport Aircraft in compliance with CASR 21.186.

Scope of the authorisation

A person may apply to issue a special certificate of airworthiness for a light sport aircraft that is one or more of the following:

- Fixed wing aircraft
- Powered parachutes
- Weight shift aircraft
- Gliders
- Balloons
- Airships
- Gyroplanes.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue, the applicant must have successfully completed either

- The CASA Certificate of Airworthiness course or within 12 calendar months prior to application or
- Certificate of Airworthiness course delivered by a recognised representative organisation (SAAA, SAOG, RA Aus. Etc) that has been endorsed by CASA.



Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid. This exemption does not apply to the renewal requirements for any instrument.

Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of light sport aircraft (or similar eg CAO 95.55) may request consideration be given to substitute the completion of a Certificate of Airworthiness course with an assessment (by interview) to determine their knowledge level.

Knowledge

The applicant must obtain a written declaration that the applicant has suitable underpinning and specific knowledge to be authorised to issue special certificates of airworthiness to light sport aircraft from:

- A person authorised to issue special certificates or airworthiness to light sport aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

Experience

The applicant must obtain a declaration of competence issue special certificates of airworthiness to light sport aircraft from:

- A person authorised to issue special certificates or airworthiness to light sport aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both certificate of airworthiness processes, and specific aircraft type experience and be based on the functions leading up to the issue of at least one LSA certificate of airworthiness and either one additional LSA certificate of airworthiness or an experimental certificate for a similar aircraft type.

Note: Applicants must provide evidence of experience in relation to each aircraft LSA type (aeroplanes, powered parachutes, weight shift aircraft etc). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type may result in that type being excluded.

4.2.8 CASR 21.195A – Issue experimental certificates

4.2.8.1 Issue experimental certificates for aircraft for research and development (CASR 21.195A for CASR 21.191(a)) and showing compliance (CASR 21.195A for CASR 21.191(b))

Purpose

CASR
21.191

This criterion relates to applications for a person to be appointed as an authorised person to issue an experimental certificate for an Australian aircraft for the purpose of research and development under CASR 21.191 (a) and/or showing compliance with regulations under CASR 21.191 (b).

Scope of the authorisation

A person may apply to issue an experimental certificate for one or more of the following:

- An aircraft manufactured under an Australian Production Certificate
- An aircraft other than one manufactured under an Australian Production Certificate that is:
 - Aircraft type certificated in the normal, utility, acrobatic, commuter, primary, intermediate or restricted category
 - Aircraft type certificated in the transport category
 - A non type certificated aircraft.

Note: Applications relating to an aircraft type certificated in the transport category will be considered on a case-by-case basis.

Persons applying for an instrument of appointment for the purpose of these regulations will be required to demonstrate an ongoing need to issue a number of experimental certificates during the validity of the instrument. An instrument of appointment will not generally be issued for one-off certificates for a particular flight.

Qualifications

For initial issue, the applicant must:

- In relation to aircraft manufactured under an Australian Production Certificate (PC):
 - Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application and
 - Have substantial experience in the design, manufacture, modification, and maintenance aircraft similar to the scope sought and



CAR 35
CASR
21.031,
21.095,
21.098

- Be employed by, or having a demonstrated direct and ongoing relationship with the PC holder's organisation.
- In relation to aircraft not manufactured under an Australian PC:
 - Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application and
 - Be the holder of one or more [CAR 35](#), [CASR 21.031](#), [CASR 21.095](#) or [CASR 21.098](#) instrument of appointment to approve the design of a modification or repair relating to aircraft similar to the scope sought.

Note: Holders of a valid instrument for the purpose of issuing certificates of airworthiness or experimental certificates (other than for UAV, Amateur Built or Light Sport Aircraft) are exempt from having to complete the CofA course whilst their instrument remains valid. This exemption does not apply to the renewal requirements for any instrument.

- In relation to non type certificated aircraft:
 - Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application or
 - A declaration of competence from a person acceptable to CASA from a recognised representative organisation (AWAL, SAAA, SAOG, RA Aus etc). Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of aircraft similar to the scope being sought, may request consideration be given to substitute the completion of a Certificate of Airworthiness course with an assessment (by interview) to determine their knowledge level.

Knowledge

The applicant will be asked to demonstrate the following, at interview, relevant to issuing experimental certificates:

- Sound knowledge regarding the application of CASRs, AC 21.10 and other relevant Advisory Circulars, CASA policies & procedures
- Current technical knowledge and experience commensurate with that required for issuing experimental certificates



- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- An understanding of the conditions under which an experimental certificate may be suspended or cancelled.

The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicant's written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

For a type certificated aircraft:

- Where the applicant, at the time of application is authorised to issue standard or special certificates of airworthiness or other experimental certificates, must have carried out, under the supervision of CASA or a person authorised to issue experimental certificates, the functions leading up to the issue of at least one experimental certificate similar to the scope being sought (eg R&D).
- Where the applicant, at the time of application is **not** authorised to issue standard or special certificates of airworthiness or other experimental certificates, must have carried out, under the supervision of CASA or a person authorised to issue experimental certificates the functions leading up to the issue of at least two experimental certificates similar to the scope being sought (eg R&D).



- For a non type certificated aircraft, the applicant should submit:
 - A declaration of competence from a person holding equivalent powers or
 - A declaration of competence from a recognised representative organisation (eg, AWAL, SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both the experimental certificate processes, and aircraft type experience.

4.2.8.2 Issue experimental certificates for aircraft for training (CASR 21.195A for CASR 21.191(c)) and market survey (CASR 21.195A for CASR 21.191(f))

Purpose

CASR
21.191

This criterion relates to applications for a person to be appointed as an authorised person to issue an experimental certificate for an Australian aircraft for the purpose of training the applicant's flight crew under CASR 21.191 (c) and/or market survey with regulations under CASR 21.191 (f).

Scope of the authorisation

A person may apply to issue an experimental certificate for one or more of the following:

- Aircraft type certificated in the normal, utility, acrobatic, commuter, primary, intermediate or restricted category or
- Aircraft type certificated in the transport category or
- A non type certificated aircraft.

Persons applying for an instrument of appointment for the purpose of these regulations will be required to demonstrate an ongoing need to issue a number of experimental certificates during the validity of the instrument. An instrument of appointment will not generally be issued for one-off certificates for a particular flight.

Qualifications

For initial issue, the applicant must:

- For type certificated aircraft:
 - Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application



Note: Holders of a valid instrument for the purpose of issuing certificates of airworthiness or experimental certificates (other than for UAV, Amateur Built or Light Sport Aircraft) are exempt from this requirement whilst their instrument remains valid.

- For non type certificated aircraft:
 - Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application or
 - Obtain a declaration of competence from a recognised representative organisation (AWAL, SAAA, SAOG, RA Aus etc).

Note: Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of aircraft similar to the scope being sought, may request consideration be given to substitute the completion of a Certificate of Airworthiness course with an assessment (by interview) to determine their knowledge level.

Knowledge

The applicant will be asked to demonstrate the following, at interview, relevant to issuing experimental certificates:

- Sound knowledge regarding the application of CASRs, AC 21.10 and other relevant Advisory Circulars, CASA policies & procedures
- Current technical knowledge and experience commensurate with that required for issuing experimental certificates
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- An understanding of the conditions under which an experimental certificate may be suspended or cancelled.



In addition, the applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

- For a type certificated aircraft:
 - Where the applicant, at the time of application is authorised to issue standard or special certificates of airworthiness or other experimental certificates, must have carried out, under the supervision of CASA or a person authorised to issue experimental certificates, the functions leading up to the issue of at least one experimental certificate similar to the scope being sought (eg training).
 - Where the applicant, at the time of application is **not** authorised to issue standard or special certificates of airworthiness or other experimental certificates, must have carried out, under the supervision of CASA or a person authorised to issue experimental certificates the functions leading up to the issue of at least two experimental certificates similar to the scope being sought (eg training).
- For a non type certificated aircraft, the applicant should submit:
 - A declaration of competence from a person holding equivalent powers or
 - A declaration of competence from a recognised representative organisation (eg, AWAL, SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both the experimental certificate processes, and aircraft type experience.

4.2.8.3 Issue experimental certificates for aircraft for exhibition (CASR 21.195A for CASR 21.191(d)) and air racing (CASR 21.195A for CASR 21.191(e))

Purpose

CASR
21.191

This criterion relates to applications for a person to be appointed as an authorised person to issue an experimental certificate for an Australian aircraft for the purpose of exhibition under CASR 21.191 (d) and air racing under CASR 21.191 (e).

Scope of the authorisation

An instrument of appointment issued for the purpose of exhibition or air racing will allow the person to issue an experimental certificate for any type of aircraft, including first of type and model.

Qualifications

For initial issue, the applicant must obtain a written declaration from a recognised representative organisation (AWAL, SAAA, SAOG, RA-Aus etc) that the applicant is suitability qualified to be authorised to issue experimental certificates for exhibition or air racing.

Note: Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of aircraft typically used for exhibition or air racing may request consideration be given to substitute the declaration of qualification with an assessment (by interview) to determine their knowledge level.

Knowledge

The applicant must obtain a written declaration that the applicant has suitable underpinning and specific knowledge to be authorised to issue experimental certificates for exhibition or air racing from:

- A person authorised to issue experimental certificates for exhibition or air racing or
- A recognised representative organisation (AWAL, SAAA, SAOG, RA Aus etc).



Experience

The applicant must obtain a declaration of competence to issue experimental certificates for exhibition or air racing from:

- A person authorised to issue experimental certificates for exhibition or air racing or
- A recognised representative organisation (AWAL, SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both experimental certificate processes, and specific aircraft type experience and be based on the functions leading up to the issue of at least one experimental certificate.

4.2.8.4 Issue experimental certificates for amateur built aircraft (CASR 21.195A for CASR 21.191(g)) and kit built (in the primary category) aircraft (CASR 21.195A for CASR 21.191(h))

Purpose

CASR
21.191

This criterion relates to applications for a person to be appointed as an authorised person to issue an experimental certificate for an Australian aircraft for the purpose of operating a amateur built aircraft under CASR 21.191 (g) and kit built aircraft under CASR 21.191 (h).

Scope of the authorisation

An instrument of appointment issued for the purpose of issuing an experimental certificate for operating an amateur-built and kit built (in the Primary category) aircraft will allow the person to issue a certificate where the major portion of the aircraft has been fabricated and assembled by a person who undertook the construction project solely for the person's own education or recreation.

Qualifications

For initial issue, the applicant must:

- Have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application or
- Have successfully completed Certificate of Airworthiness course endorsed by CASA and delivered by a recognised representative organisation (SAAA, SAOG, RA Aus. etc).



Note: Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of amateur or kit built aircraft may request consideration be given to substitute the completion of a Certificate of Airworthiness course with an assessment (by interview) to determine their knowledge level.

Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid.

Knowledge

The applicant must obtain a written declaration that the applicant has suitable underpinning and specific knowledge to be authorised to issue experimental certificates for amateur built or kit built (in the Primary category) aircraft from:

- A person authorised to issue experimental certificates for amateur built or kit built (in the Primary category) aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

Experience

The applicant must obtain a declaration of competence to issue experimental certificates for amateur built or kit built (in the Primary category) aircraft from:

- A person authorised to issue experimental certificates for amateur built or kit built (in the Primary category) aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both experimental certificate processes, and specific aircraft type experience and be based on the functions leading up to the issue of at least one experimental certificate.

4.2.8.5 Issue experimental certificates for light sport aircraft (CASR 21.195A for CASR 21.191(j) and CASR 21.191(k))

Purpose

CASR
21.191

This criterion relates to applications for a person to be appointed as an authorised person to issue an experimental certificate for an Australian aircraft for the purpose of operating a Light Sport Aircraft under CASR 21.191 (j) and (k).

Scope of the authorisation

A person may apply to issue a special certificate of airworthiness for any light sport aircraft.

Qualifications

For initial issue, the applicant must:

- Have successfully completed the CASA Certificate of Airworthiness course or within 12 calendar months prior to application or
- Have successfully completed Certificate of Airworthiness course endorsed by CASA and delivered by a recognised representative organisation (SAAA, SAOG, RA Aus. etc).

Note: Applicants with substantial experience in the design, certification, manufacture, modification or maintenance of amateur or kit built aircraft may request consideration be given to substitute the completion of a Certificate of Airworthiness course with an assessment (by interview) to determine their knowledge level.

Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid.

Knowledge

The applicant must obtain a written declaration that the applicant has suitable underpinning and specific knowledge to be authorised to issue experimental certificates to light sport aircraft from:

- A person authorised to issue experimental certificates to light sport aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).



Experience

The applicant must obtain a declaration of competence issue experimental certificates to light sport aircraft from:

- A person authorised to issue experimental certificates to light sport aircraft or
- A recognised representative organisation (SAAA, SAOG, RA Aus etc).

Note: A declaration of competence must account for both certificate of airworthiness processes, and specific aircraft type experience and be based on the functions leading up to the issue of at least one LSA experimental certificate and either one additional LSA experimental certificate or an experimental certificate for a similar aircraft type.

4.2.9 CASR 21.200 – Issue a special flight permit

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to issue a special flight permit (SFP) for an Australian aircraft or manned free balloon.

Scope of the authorisation

CASR
21.197

A person may apply to issue a special flight permit for an aeroplane, a helicopter or a manned free balloon that is one or more of the following:

- An aeroplane that has a certificated seating capacity of more than 38 seats (High Capacity)
- An aeroplane that has a certificated seating capacity of 38 seats or less (not High Capacity)
- A type of aircraft that is the first of its type registered in the Australian Aircraft register
- To operate only inside Australia
- To operate inside, outside or into & out of Australia
- To conduct production flight testing
- To conduct customer demonstration flights
- To operate at a weight up to 110% of its maximum certificated take-off weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available (CASR 21.197 (2) refers).

Note: CASA will only consider an application to issue a special flight permit to conduct production flight testing or customer demonstration flights, where the applicant can demonstrate a direct and continuous relationship with the Production Certificate holder for whom the flight test or demonstration is being conducted.

Persons outside CASA will not be authorised to issue a special flight permit:

- To assist in searching for, bringing aid to or rescuing persons in danger on a particular occasion under 21.197 (1) (f) or
- To assist in dealing with a state of emergency under 21.197 (1) (g) or
- To operate at a weight of greater than 110% of the aircraft's maximum certificated take-off weight or



- To allow an aircraft to fly where the aircraft involved is carrying major damage and/or major defects or
- To allow an aircraft to fly with the requirements of an Airworthiness Directive not complied with without consent, or
- To an aircraft in a special class of aircraft.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue, the applicant must have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application.

Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid.

Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to issuing special flight permit:

- Sound knowledge of ICAO requirements relating to special flight permits
- Sound knowledge regarding the application of CASRs, relevant Advisory Circulars, CASA policies & procedures
- A working knowledge of AC 21.9
- Current technical knowledge and experience commensurate with that required for issuing a special flight permit
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and
- An understanding of the conditions under which a special flight permit may be suspended or cancelled and



- If the application relates to issuing a Special Flight Permit for overweight operations, sound knowledge regarding the application of AC 21-9 and the applicants written procedures relating to overweight operations.

The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

In relation to non-High Capacity aeroplanes, helicopters or manned free balloons, a minimum of 3 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft of the type applied for.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

In relation to High Capacity aeroplanes, a minimum of 5 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft, with a minimum of 3 years experience on Transport category aircraft

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

Initial issue (to satisfy either of the above paragraphs)

The applicant must have carried out, under the supervision of CASA or a person authorised to issue a special flight permit, the functions leading up to the issue of at least two permits for aircraft similar to the type certification category of the scope of the instrument of appointment.



Upgrading to High Capacity

The applicant must have carried out, under the supervision of CASA or a person authorised to issue a special flight permit, the functions leading up to the issue of at least two permits for aircraft classified as High Capacity.

In relation to issuing a permit to an aircraft that is the first of its type on the Australian Register, the applicant must have carried out, under the supervision of CASA, the functions leading up to the issue of at least one permit for an aircraft that was the first of its type in Australia.

Note: The requirement set out in the previous paragraph 7.3 is in addition to the experience requirements above unless one of those samples was for an aircraft that is First of Type.

In relation to issuing a permit to an aircraft to operate up to 110% of its certificated MTOW, the applicant must have carried out, under the supervision of CASA, the functions leading up to the issue of at least one permit to operate above the MTOW.

4.2.10 CASR 21.324 – Issue an export airworthiness approval

Purpose

This criterion relates to applications for a person to be appointed as an authorised person to issue an export airworthiness approvals in the form of an export certificate of airworthiness (**CoA**) for an Australian aircraft or manned free balloon, or an Authorised Release Certificate (**ARC**) for a Class I and Class II component (that is not an aircraft).

Scope of the authorisation

CAR 21.325 A person may apply to issue an export certificate of airworthiness for an aeroplane, a helicopter or a balloon that is:

- Of a type referred to in paragraph 21.325 (4) (b) of [Civil Aviation Regulations 1998](#) (a used aircraft) and
- **Not** of a type referred to in paragraph 21.325 (4) (b) of [Civil Aviation Regulations 1998](#) (a new aircraft off a production line)
- An aeroplane with a certificated seating capacity of more than 38 seats (High Capacity) or
- An aeroplane with a certificated seating capacity of 38 seats or less (not High Capacity).

Note: Persons outside CASA will not be authorised to issue an export certificate of airworthiness to an aircraft in a special class of aircraft.

A person may apply to issue an ARC for a Class I or Class II component that is:

- Of a type referred to in paragraph 21.325 (4) (b) of [Civil Aviation Regulations 1998](#) (a used aircraft) and
- **Not** of a type referred to in paragraph 21.325 (4) (b) of [Civil Aviation Regulations 1998](#) (a new aircraft off a production line)

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

For initial issue to issue an export certificate of airworthiness for an aircraft, the applicant must have successfully completed the CASA Certificate of Airworthiness course within 12 calendar months prior to application.



Note: Holders of a valid instrument for the purpose of any other provision of 21.176 are exempt from this requirement whilst their instrument remains valid.

For initial issue to issue an ARC for a component, the applicant must have substantial experience in the design, certification, manufacture, modification or maintenance of components.

Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to issuing export certificates of airworthiness:

- Sound knowledge of ICAO requirements relating to export certificates of airworthiness
- Sound knowledge regarding the application of CASRs, relevant Advisory Circulars, CASA policies & procedures
- A working knowledge of AC 21.17
- Current technical knowledge and experience commensurate with that required for issuing a certificate of airworthiness
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations
- An understanding of the conditions under which an export certificate of airworthiness may be suspended or cancelled

The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to assess and interpret legislation from the importing country that relates to the issue of an Australian Export Certificate of Airworthiness



Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

In relation to non-High Capacity aeroplanes, helicopters or manned free balloons, a minimum of 3 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft of the type applied for.

Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

In relation to High Capacity aeroplanes, a minimum of 5 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft with a minimum of 3 years experience on Transport category aircraft

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA Airworthiness Standards Branch on a case-by-case basis.

Initial issue (to satisfy either above paragraphs)

The applicant must have carried out, under the supervision of CASA or a person authorised to issue export certificates of airworthiness, the functions leading up to the issue of at least two certificates for aircraft similar to the type certification category of the scope of the instrument of appointment.

Upgrading to High Capacity

The applicant must have carried out, under the supervision of CASA or a person authorised to issue export certificates of airworthiness, the functions leading up to the issue of at least two certificates for an aircraft classified as High Capacity.

In relation to the issue an ARC for a component, the applicant must have substantial experience in the design, certification, manufacture, modification or maintenance of components.

4.2.11 CAR 2A – Instrument of Delegation - Approve maintenance data

Purpose

This criterion relates to applications for a person to be delegated CASA's powers and functions to approve instructions relating to how maintenance on aircraft, aircraft components or aircraft material is to be carried out.

Scope of the authorisation

A person may apply to be delegated to approve instructions in either the Airframe, Engine, Instrument, Electrical and Radio category in relation to:

- Aeroplanes with a certificated seating capacity of more than 38 seats (High Capacity) or
- Aeroplanes with a certificated seating capacity of less than 38 seats (not High Capacity) and
- Limited category aircraft.

Note: A delegation to approve instructions relating to Non Destructive Testing (NDT) will require the instructions to be endorsed by the holder of an AINDT Level 3 qualification.

A delegate will only be empowered to approve instructions where the existing instructions are:

- No longer available from the manufacturer and no alternative exists or
- No longer provide for the continuing airworthiness of the aircraft, aircraft component or aircraft material or
- No longer applicable and no alternative exists.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.



Qualifications

CAR 35
CASR
21.031,
21.095,
21.098

For initial issue, the applicant must:

- In relation to Limited category aircraft, obtain a written declaration from the Australia Warbird Association Limited (AWAL) that they are suitability qualified to be delegated CASA powers to approve instructions relating to how maintenance is to be carried out.
- In relation to all other aircraft:
 - Hold a valid CASA issued instrument of appointment for one or more of the following regulations: [CAR 35](#), [CASR 21.031](#), [CASR 21.095](#) or [CASR 21.098](#) in the same maintenance category (airframe, instrument, electrical etc) for which this application applies or
 - Hold a tertiary qualification and at least 5 years aviation engineering experience working in the same maintenance category (airframe, instrument, electrical etc) for which this application applies.

Knowledge

In relation to Limited category aircraft, the applicant must obtain a written declaration from the AWAL that they have suitable underpinning and specific knowledge to be delegated CASA powers to approve instructions relating to how maintenance is to be carried out.

In relation to all other aircraft, the applicant will be asked to demonstrate at interview, the following relevant to approving instructions relating to how maintenance is to be carried out:

- Sound knowledge of ICAO requirements relating to aircraft type certification, including ICAO Annex 8, and ICAO Airworthiness Technical manual.
- Sound knowledge of, and the ability to interpret instructions for continuing airworthiness issued by the type designer of the aircraft, aircraft component or aircraft material for which the instruction is being approved.
- Sound knowledge regarding the application of aviation legislation, relevant CASA Advisory Circulars, CASA policies & procedures
- Current technical knowledge and experience commensurate with that required for approving instructions in the relevant category
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation



- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to how maintenance is to be carried out.

The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

In relation to Limited category aircraft, the applicant must obtain a written declaration of competence from the AWAL to approve instructions relating to how maintenance is to be carried out.

In relation to all other aircraft, the applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below:

CAR 35
CASR
21.031,
21.095,
21.098

- For holders of a [CAR 35](#), [CASR 21.031](#), [CASR 21.095](#) or [CASR 21.098](#) instrument of appointment, 5 years aviation engineering experience or
- For persons holding tertiary qualification holders, 5 years aviation engineering experience working in the same maintenance category (airframe, instrument, electrical etc) for which this application applies.

4.2.12 CAR 37 – Approve a defect or damage as a permissible unserviceability

Purpose

This criterion relates to applications for a person to be delegated CASA's powers and functions to approve a defect in an Australian aircraft as a permissible unserviceability.

Scope of the authorisation

A person may apply to be delegated to approve:

- A defect in a schedule of permissible unserviceabilities in the form of an MEL or
- A defect as a permissible unserviceability beyond the existing repair interval designated for the defect in the current MEL in relation to:
- An aeroplane that has a certificated seating capacity of more than 38 seats (High Capacity) or
- An aeroplane that has a certificated seating capacity of 38 seats or less (not High Capacity) and
- An aircraft that is the first of its type registered on the Civil Aircraft Register.

A delegate will be permitted to exercise their powers in relation to an aircraft with a seating capacity of 38 seats or more that is a type not previously issued with an Australian certificate of airworthiness, only if CASA has given written consent.

Persons outside CASA will not be delegated to approve a defect as a permissible unserviceability unless the defect is already mentioned in the approved MEL.

Note: The scope of an instrument is dependent on the applicants qualifications, experience in some cases employment conditions.

Qualifications

CAR 37 For initial issue, the applicant must have successfully completed the CASA CAR 37 MEL course, within 12 calendar months prior to application.



Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to approving an MEL:

- Sound knowledge of relevant CARs, CAOs and CASA policies & procedures concerning airworthiness and operational requirements for operation of aircraft and philosophy of MELs
- Current technical knowledge and experience commensurate with that required for approving an MEL
- Working knowledge of the information contained in aircraft type certification standards, information contained in aircraft Type Certificates and Type Certificate Data Sheets (TCDS), Airworthiness Limitations and Certification Maintenance Requirements (CMR), Aircraft Flight Manuals, Airworthiness Directives or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- Sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations and

The applicant will be asked to demonstrate competence in the following:

- The application of policies, methodologies and processes described in the applicants written procedures
- Ability to find and interpret information in the Australian civil aviation legislation related to airworthiness, maintenance and operational requirements, in particular those relating to the approval sought
- Ability to find and interpret information from foreign NAAs related to airworthiness, maintenance and operational requirements.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of his or her experience that satisfies the relevant subparagraph below.

In relation to non-High Capacity aeroplanes, helicopters or manned free balloons, a minimum of 3 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft of the type applied for, or of similar technology or complexity.



Note: Applicants must provide evidence of experience in relation to each aircraft type (aeroplanes, helicopters and balloons). The scope of experience will determine the scope of any proposed instrument. A lack of experience in a particular type will result in that type being excluded.

In relation to High Capacity aeroplanes, a minimum of 5 years experience in airworthiness and maintenance or maintenance control of type certificated aircraft with a minimum of 3 years experience on Transport category aircraft

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

CAR 37 In addition to the above paragraphs, each applicant must:

Where the applicant, at the time of application is **not** delegated to approve an MEL or PU, they must have carried out, under the supervision of CASA or a person delegated for the purpose of **CAR 37**, the functions leading up to the approval of at least two Minimum Equipment Lists for aircraft similar to the type sought in the instrument of appointment (eg >38 or First of Type).

Where the applicant, at the time of application is delegated to approve an MEL or PU for aircraft with 38 seats or less, they must have carried out, under the supervision of CASA or a person delegated for the purpose of **CAR 37**, the functions leading up to the approval of at least one Minimum Equipment Lists for an aircraft certificated with more than 38 seats.

4.2.13 CAR 42ZC(6) – Approve a person to carry out maintenance on aircraft, components or materials

Purpose

This criterion relates to applications for a person to be delegated to authorise another person to carry out non destructive testing on an Australian aircraft.

Scope of the delegation

A person may apply to be delegated the power to authorise a person where the delegate and person being authorised are employed by an approved maintenance organisation.

The delegate will only authorise the carrying out of non-destructive testing.

Qualifications

CAR 30 No professional or technical qualifications are required for this delegation, however the applicant must be an employee of the Maintenance Organisation approved under regulation 30 of CAR 1988 to conduct the maintenance on aircraft, aircraft components and /or aircraft material.

Knowledge

The applicant will be asked to demonstrate at interview, the following relevant to approving persons to carrying the specified maintenance:

- Sound knowledge regarding the application of CASRs, relevant Advisory Circulars, CASA policies & procedures and
- A working knowledge of CAAP 30-4 (including Appendix 8) and
- Administrative knowledge and experience commensurate with that required for issuing an authorisation and
- Sound knowledge of the appropriate conditions that may be set in the interests of safety and
- An understanding of the conditions under which an authorisation may be suspended or cancelled.

In addition, the applicant will be asked to demonstrate competence in the following:

- Ability to find and interpret information in the Australian civil aviation legislation related to the approval sought



- The application of policies, methodologies and processes described in the AMO's written procedures
- Ability to demonstrate a detailed understanding of the requirements of the AMO's system of certification.

Note: An interview of the applicant is required to ensure that the applicant can demonstrate they meet the criteria.

Note: Evidence of equivalent aviation experience (military or overseas) may be taken into account and will be subject to review by CASA on a case-by-case basis.

Experience

Each applicant should submit, attached to his/her application, a resume setting out details of the applicant's experience which qualifies the applicant to issue the authorisation for which the delegation is sought.

5.1.1 Introduction

This section describes the process by which a qualified person who meets the necessary prerequisites may apply for appointment as a CASA delegate, and the procedure to process and evaluate an application. The high-level process is relatively straightforward, and can be demonstrated by the following diagram (see Figure 5-1).

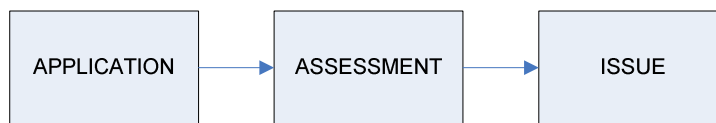


Figure 5-1: High-level Process

Although this high-level process is common for the appointment of all delegates, the specific appointment process varies between delegates according to the technical discipline of the relevant power or function. The table below indicates the areas of CASA responsible for managing the individual elements of the appointment process for delegates of each discipline.

Delegate Type	Application	Assessment	Issue
Airworthiness and Manufacturing	PAC / DM	Ops	PAC
Flying Operations	Ops	Ops	Ops
Flight Testing (Approved Testing Officer (ATO))	FTTO / Ops	FTTO / Ops	PAC / Ops
Design Approval	A&EB	A&EB	A&EB
Aerodromes	AARD	AARD	AARD

PAC = Permission Application Centre (Industry Permissions division)

DM = Delegate Management branch (Industry Permissions division)

Ops = CASA Operations division

A&EB = Airworthiness and Engineering Branch (Standards Development and Future Technology division)

FTTO = Flight Training and Testing Office (Flying Standards branch, CASA Operations division).

AARD = Airspace and Aerodromes Regulation Division

5.2.1 Applications for Delegations

Applications for delegations in the airworthiness and manufacturing fields follow the same appointment process, which is covered in this section. The overseeing office for airworthiness delegates is usually the CASA Operations Regional Office best able to conduct adequate oversight activities relating to a particular delegate, usually based primarily on the physical location(s) in which that delegate is expected to operate. The overseeing office for manufacturing delegates is CASA's Manufacturing office within the Safety Oversight branch of the CASA Operations division.

5.2.2 Application Phase

This section describes the application process for appointment as a CASA delegate in the airworthiness or manufacturing disciplines. This applies to an application for either a new airworthiness or manufacturing delegation (initial issue) or a change to an existing delegation to increase its scope (variation). The process includes application submission and initial processing, assessing if there is a need for the requested delegation, estimating assessment costs and receiving payment and allocating for further assessment. The process is illustrated in the diagram below (see Figure 5-2).

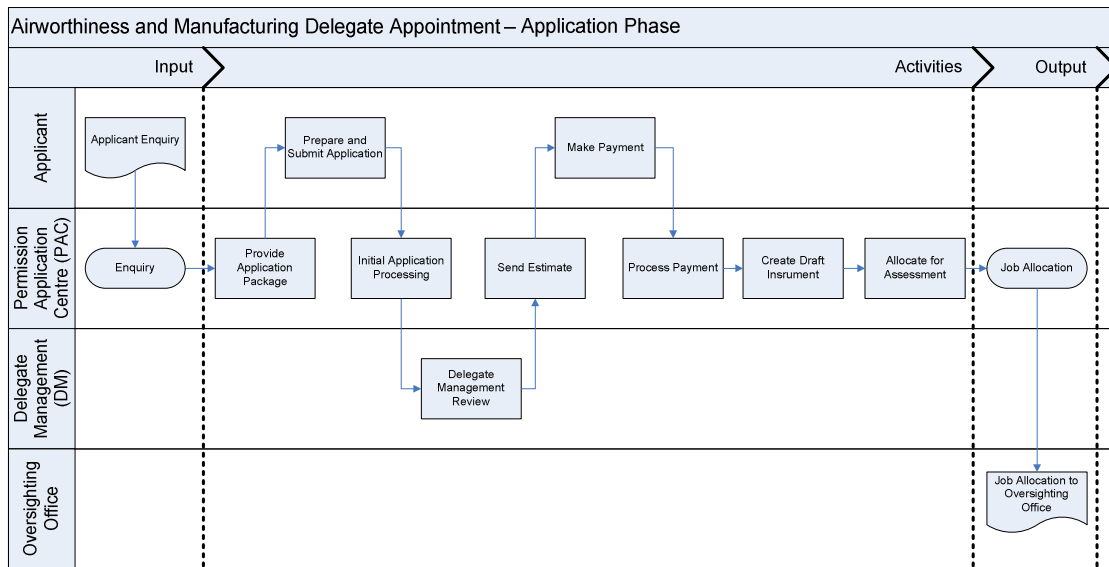


Figure 5-2: Application Phase

5.2.2.1 Provide Application Package

The initial contact from a potential industry delegate is likely to be a request for information or a request for an application package. Initial contacts are opportunities for CASA to share with the prospective applicant the responsibilities, expectations and qualification requirements of delegates. Such enquiries should be managed by PAC and/or the Delegate Management branch as appropriate. By providing this information, CASA may find that some individuals elect not to submit an application based on their inability to satisfy the qualification requirements for appointment. This may eliminate resource hours being expended on application packages that would be rejected.

When an individual elects to pursue appointment PAC will prepare and forward an application package, based on the delegations sought, to the prospective applicant. The application package will usually include:



- Relevant application form(s) and guidance material
- Applicable criteria document(s), including information about any prerequisite CASA courses the applicant is required to complete and
- Procedures Manual checklists (general and specific).

5.2.2.2 Prepare and Submit Application

The applicant completes an application form, and provides documents and evidence to support the application criteria, based on the guidance information provided. This usually includes:

- Completed relevant application form(s)
- Resume of relevant experience
- Evidence of qualifications, including successful completion of any relevant pre-requisite courses
- Statement of proposed utilisation, indicating the applicant's plans for activity as a CASA delegate
- Copy of the delegate's written procedures manual containing the procedures to be followed by the delegate when exercising the delegated power(s) and
- Referee report substantiating experience claims made in the application.

In accordance with the guidance information, the application should only be submitted once all associated documents and evidence are available and these should be included as part of the application.

The evaluation of the applicant's information will determine if an applicant may be appointed or denied appointment. Appointment is made when an applicant meets the applicable criteria and provides verifiable documentation, and CASA has the need and ability to manage the delegate. Failure to meet the applicable criteria will result in denial.

Criteria for delegation of many powers are contained in 'Appointment Criteria' [Chapter 4](#) of this manual.



5.2.2.3 Initial Application Processing

All applications will be submitted to the Permission Application Centre (PAC) for processing. PAC will create a job for each application and review the application and supplied documentation, to ensure that all necessary information has been provided. If the application is incomplete or required documents are not provided, PAC will request that the applicant provide any missing information. When the package is acceptable, PAC will send an acknowledgement letter to the applicant, and enter the information into the appropriate databases and workflow tools.

Note: PAC is not assessing the quality of the information, but the existence of required documents and data within the application.

When all initial application processing has been completed, PAC will forward the application package to the Delegate Management branch for review.

5.2.2.4 Delegate Management Review

The Delegate Management branch, upon receipt of the application package, will accomplish the following:

- Determine the most appropriate overseeing office for the delegate after appointment, and liaise with that office to assess CASA's need and ability to manage the delegate. Need and ability to manage are based on a variety of factors such as the applicant's proposed activities, workload, geographic location, number of CASA employees and ratio of delegates to CASA technical staff. If there is a CASA need and a determination made that there are adequate CASA resources to manage the delegate after appointment, the Delegate Management branch will evaluate the application further. If, following consultation with the appropriate CASA Division and overseeing office, the Delegate Management branch determines that there is no CASA need, or the new delegate could not be managed, the branch, on behalf of CASA, will deny the application and document the decision (in the case of a Delegation, a recommendation will be made to the Director not to grant the Delegation).
- Conduct a preliminary review of the application package for general qualifications and scope, and determine if there is a regulatory violation history. If the applicant has a violation history, an evaluation must be conducted to ascertain the type of violation(s) and any special or mitigating circumstances, or attitude toward compliance with CASA regulations. This evaluation should consider CASA compliance and enforcement systems and records as well as a thorough interview of the applicant's references.



Note: The ultimate decision for appointment of an applicant with a violation history must be the product of judgment and experience applied to the facts and circumstances of the individual case. However, in general, such a person will not be granted a delegation.

At the completion of the preliminary review, the Delegate Management branch will either deny the application (or recommend denial to the Director in the case of a Delegation) based on CASA's lack of need or ability to manage, applicant's lack of qualifications, incomplete application package or regulatory violation history, or will recommend that the application continue. The branch will document the outcome of the review, including justification if necessary, and forward the application package to PAC for further action.

If the application is refused or the scope of the appointment is less than requested PAC will update the information in appropriate databases and notify the applicant of the outcome of their application. The notification letter will provide the applicant the specific justification for any refusal or limitation applied to requested delegations, as provided by the Delegate Management branch.

5.2.2.5 Send Estimate

If the Delegate Management branch has recommended that the application continue, PAC will create an estimate of costs and forward this to the applicant by email. The email will include a request for payment, and for any identified additional required information. Further assessment of the application will not continue until payment has been received.

If the Delegate Management branch has recommended that the application does NOT continue (and in the case of a Delegation the Director has agreed), PAC will send a letter to the applicant notifying of CASA's decision, including brief details of the reasons for that decision. PAC will complete necessary job closure tasks.

5.2.2.6 Make Payment

After receiving an estimate of costs from PAC, the applicant is advised that they should pay the estimated amount within thirty days in order to progress their application. The applicant submits payment to PAC in accordance with the instructions provided with the estimate of costs, as well as providing any additional information requested. If a payment is not made within thirty days, the job will be closed and the applicant will need to re-apply in future should they wish to do so. PAC will notify the applicant of this in writing.

5.2.2.7 Process Payment

PAC receives and processes the applicant's payment of the estimate of costs and sends a receipt to the applicant. PAC also checks that any additional information requested has been provided.



5.2.2.8 Create Draft Instrument

PAC prepares a draft Instrument of Appointment or Instrument of Delegation to reflect the scope of the powers requested by the applicant in the application form. The draft will be prepared from the applicable instrument template, and where possible it will be generated from AIRS.

Where the draft instrument is not generated from AIRS, PAC will liaise with the Delegate Management branch for assistance in drafting the instrument. The Delegate Management branch will work with the Legal Services Division (LSD) to create a draft instrument to provide to PAC.

Conditions and limitations on the proposed delegated powers will be those provided for in the instrument template as required to reflect the scope of the application.

5.2.2.9 Allocate for Assessment

Once a draft instrument has been created, PAC will allocate the application to the appropriate oversighting office using electronic workflow tools.

Allocation includes a request for the oversighting office to notify PAC of its acceptance of the job and the proposed assessment completion date. PAC will notify the applicant of the expected date of instrument issue (if approved), based on the estimated completion date of the assessment.

PAC will assign the application to the oversighting office. This includes:

- Application form and all associated supporting information and documents submitted by the applicant
- Draft instrument of delegation or appointment and
- Copy of the estimate of costs.

5.2.3 Assessment Phase

This section describes the procedure for the overseeing office to assess an application for an airworthiness delegation, once an application has been allocated by the Permission Application Centre and accepted by the overseeing office. The purpose of the assessment phase is to compare the applicant's qualifications to the appointment criteria and recommend appointment, limited appointment or denial.

The various assessment stages are represented in the diagram below (see Figure 5-3).

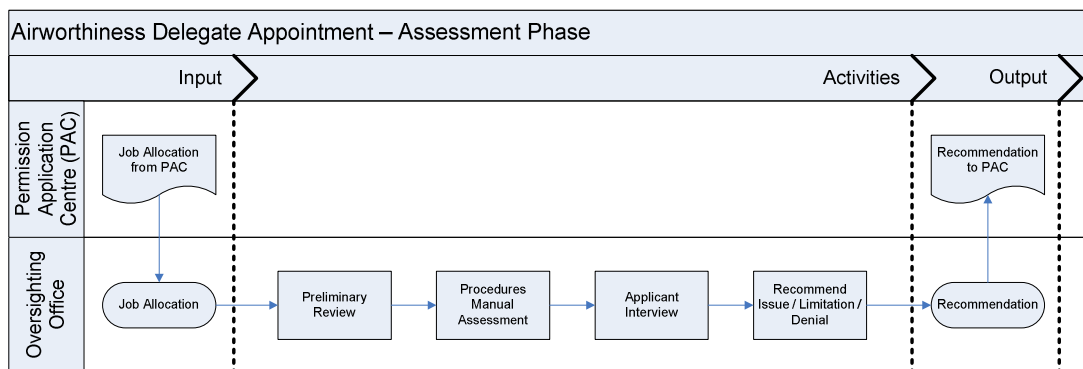


Figure 5-3: Assessment Phase

If at any stage during the assessment it is determined that the applicant does not meet the necessary requirements to hold the requested power or function at all, the assessment should cease and it should be recommended that the application is denied.

If at any stage it is determined that the applicant does not meet the necessary requirements to hold the full scope of the power or function requested, but may meet the requirements if limitations were to be placed on the delegated powers or functions, the applicant should be contacted to discuss whether or not they wish the application to proceed on this basis, prior to continuing with the assessment.

5.2.3.1 Preliminary Review

The overseeing CASA office will conduct a preliminary review of the application package for general qualifications, experience and training in order to ensure that the applicant is appropriately qualified, as detailed in the criteria in the 'Appointment Criteria' Chapter 4 of this manual, before continuing with the assessment.

5.2.3.2 Procedures Manual Assessment

The overseeing office will assess the applicant's submitted procedures manual (where required) against the relevant document criteria. This includes both general procedures manual criteria and also specific criteria relevant to the power or function to be delegated.

5.2.3.3 Applicant Interview

The overseeing office will interview the applicant to ensure that the applicant can demonstrate that they meet the required criteria for the particular power or function for which they have applied. Many of these criteria are specified in 'Appointment Criteria' [Chapter 4](#) of this manual.

5.2.3.4 Recommend Issue / Limitation / Refusal

At the successful completion of all assessment stages, or at the unsuccessful completion of any assessment stage, the overseeing office will document the outcome of the assessment phase and notify PAC.

The notification to PAC will include a recommendation to either appoint the applicant as a delegate in accordance with the application, appoint the applicant as a delegate with additional limitations or deny the application. The reasons for a limited appointment or a refusal must be included in the recommendation.

The overseeing office will also advise PAC of the actual costs incurred in performing the assessment, to facilitate a reconciliation against estimated costs.

5.2.4 Issue Phase

This section describes the procedure for the issue of an Instrument of Appointment or Instrument of Delegation to an applicant in the airworthiness discipline once a recommendation has been forwarded from the Oversighting Office to PAC. The process includes reconciling costs and obtaining necessary approvals – the diagram below outlines the steps involved (see Figure 5-4).

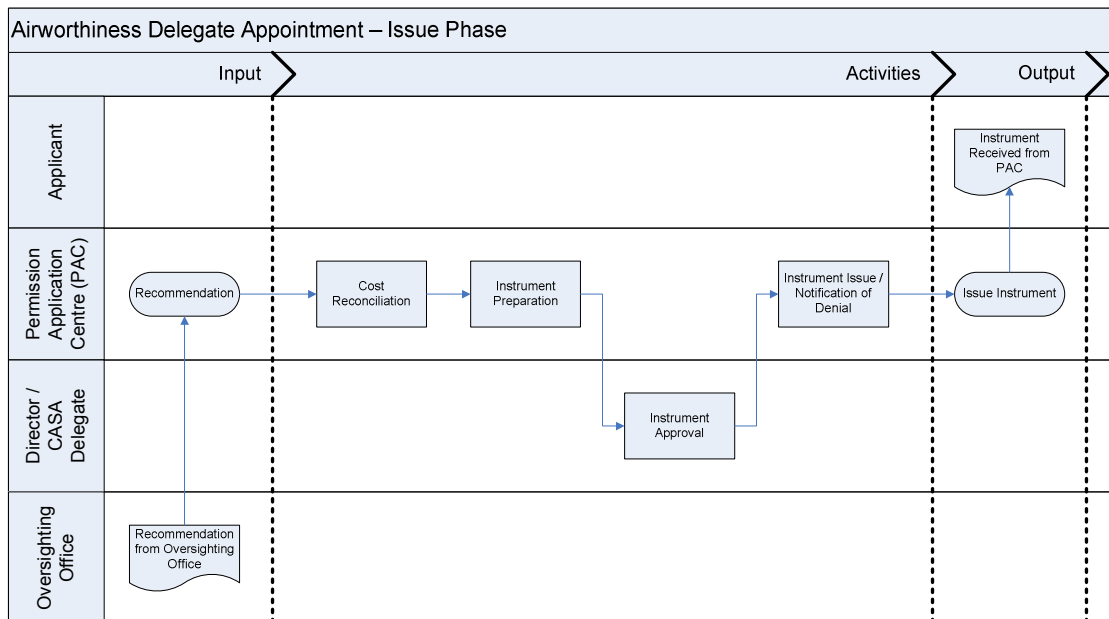


Figure 5-4: Issue Phase

5.2.4.1 Cost Reconciliation

PAC will reconcile actual costs incurred in assessing the application against estimated costs and raise an invoice or refund to the applicant if required.

5.2.4.2 Instrument Preparation

PAC will prepare a final Instrument of Appointment or Instrument of Delegation based on the draft instrument created previously and incorporating any changes recommended by the oversighting office.

If recommended changes are not able to be implemented using a template within AIRS, PAC will liaise with the Delegate Management branch to coordinate changes. The Delegate Management branch will liaise with the Legal Services Division (LSD) and create a final instrument which it will provide to PAC.

PAC will print the final instrument and prepare it for signing.



5.2.4.3 Instrument Approval

Instruments of Delegation can only be signed by the Director of Aviation Safety, whereas Instruments of Appointment can be signed by CASA officers to whom the Director has delegated the power to appoint a person as an Authorised Person. As a result, the issue process differs for the different types of instrument.

5.2.4.3.1 Instrument of Delegation

For an Instrument of Delegation, PAC will draft a minute from the Section Head, Permissions Issue, PAC to the Director of Aviation Safety, through the Executive Manager of CASA Operations. PAC gives this draft minute to the Section Head, Permissions Issue, PAC, together with the recommendation from the overseeing office and the unsigned Instrument of Delegation.

The Section Head, Permissions Issue, PAC will review the minute, recommendation and unsigned Instrument of Delegation and if satisfied will sign the minute. PAC will then forward the documents to the Executive Manager of CASA Operations.

The Executive Manager of CASA Operations will review the minute, recommendation and unsigned Instrument of Delegation and if satisfied will sign the minute and forward the documents to the Director.

The Director will review the minute, recommendation and unsigned Instrument of Delegation and if satisfied will sign the instrument and return the documents to PAC.

If the Director is not satisfied with the proposed instrument and chooses not to issue it, the documents will be returned to PAC with notification of the decision and reasons. PAC will take further action as necessary to either allow the application to continue or to notify the applicant of denial.

5.2.4.3.2 Instrument of Appointment

For an Instrument of Appointment, PAC forwards the unsigned instrument and the recommendation from the overseeing office to an appropriate CASA delegate, usually within PAC.

The CASA delegate will review the unsigned instrument and the recommendation, and if satisfied will sign the instrument and return the documents to PAC.

If the CASA delegate is not satisfied with the proposed instrument and chooses not to approve its issue, the documents will be returned to PAC with notification of the decision and reasons. PAC will take further action as necessary to either allow the application to continue or to notify the applicant of denial.



5.2.4.4 Instrument Issue / Notification of Denial

PAC receives either the signed instrument or notification of reasons that the instrument has not been signed.

If the instrument has been signed, PAC issues the instrument to the applicant.

If the instrument has not been signed, PAC either takes appropriate action to allow the application to continue if possible, or if application is to be denied notifies the applicant of this.

After the instrument is issued or the applicant is notified of denial, PAC completes administrative job closure tasks as required, including:

- Entry of the instrument and instrument details in appropriate databases and record management systems
- Finalisation of workflow processes and
- If instrument issued, notification and forwarding of instrument copies to other areas of CASA as required, including Legal Services Division (for Instruments of Delegation) and responsible oversighting office.

5.3.1 Flying Operations

Information to be included in a future revision.



5.4.1 Approved Testing Officer Delegates

Procedures relating to the appointment of some Approved Testing Officer delegates are contained within the '**Approved Testing Officer Manual**'.

Further information will be included in a future revision.

5.5.1 Engineering Delegations

Procedures relating to the issue, renewal, variation and cancellation of engineering delegations are currently contained within the '**Design Instrument of Appointment Procedures Manual**', owned by the Standards Development and Future Technology Division.



5.6.1 Appointing Aerodromes Delegates

CASR
139.320,
139.200

Procedures relating to the appointment of 'approved persons' under [CASR 139.320](#) to conduct aerodrome safety inspections are currently contained within the '**Aerodromes Certification, Registration and Approved Persons Procedure Manual - Entry Control**', owned by the Airspace and Aerodrome Regulation Division. Additional information is located in Advisory Circular (AC) 139-03 – 'Application for approval to conduct safety inspections of registered and certain other aerodromes.'

Information about becoming an 'approved pilot' under [CASR 139.200](#) to conduct flight checks of aerodrome lighting systems is currently contained within AC 139-04 – 'Commissioning of aerodrome lighting systems.'

The full process for appointing aerodromes delegates is currently under review, and more detailed information will be included in this manual in a future revision.

6.1.1 Introduction

This section describes the training requirements CASA staff overseeing industry delegates and the training requirements for industry personnel wishing to become a delegate/authorised person and their currency responsibilities. Delegate training is provided via formal CASA training courses and CASA run seminars that familiarise the delegate with CASA procedures and publications in the interest of standardisation. The CASA managing offices have the right to require a delegate to attend any or all of the seminars deemed necessary.

6.2.1 Initial Training

CASA staff who will be responsible for the oversight of industry delegates will complete appropriate training to prepare them to conduct such oversight before commencing industry delegate oversighting responsibilities.

6.2.2 Recurrent Training

CASA staff who will be responsible for the oversight of industry delegates will attend the same recurrent seminars that their assigned delegates attend at frequencies agreed with the Delegate Management branch.

6.3.1 Initial Training

Industry personnel wishing to become a delegate will be required to complete any technical training identified in 'Appointment Criteria' [Chapter 4](#) of this manual relating to the qualifications of that particular power, or identified in the appropriate technical discipline manual specified in the Industry Delegate Appointment section (e.g. the Approved Testing Officer Manual (ATOM) for some Flight Testing delegates). Where there are no mandated technical training requirements for that particular delegated power the individual may need to have completed a course covering their legal obligations and responsibilities to become a delegate. Enquiries regarding other specific initial training requirements for delegates should be directed to the Delegate Management branch in the first instance.

6.3.2 Recurrent Training

Industry delegates may be required to attend recurrent seminars. Some such seminars are identified in the appropriate technical discipline manual specified in the Industry Delegate Appointment section (e.g. the Approved Testing Officer Manual (ATOM) for some Flight Testing delegates). Enquiries regarding other specific initial training requirements for delegates should be directed to the Delegate Management branch in the first instance.

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7.1.1 Introduction

This section provides information and guidance for the oversight (supervision, monitoring, and tracking) of a delegate. The ability to provide adequate oversight depends on balancing the level of CASA staffing to workload and the number of delegates to provide more than a minimum degree of supervision and monitoring.

The overseeing offices are responsible for supervising, monitoring and tracking a delegate's activities to ensure the delegate is performing assigned authorised functions in accordance with the appropriate regulations, policies and procedures. In performing oversight functions, CASA uses the following tools to ensure the delegate properly exercises their power:

- **Guidance** – convey performance expectations to the delegate, evaluate the performance of the delegate regularly, and document the results.
- **Feedback** – provide continual feedback to the delegate regarding their performance on projects and programs.
- **Coaching** – analyse the quality of the delegate's work to include recognising good performance, developing corrective action, and/or coaching the delegate on the job requirements.
- **Communication and documentation** – maintain proper communication and documentation with the delegate. These are essential in identifying, monitoring and evaluating performance expectations. It is also important in identifying and solving problems, as well as taking necessary corrective action.
- **Policy and guidance material** – in addition to the above, ensure that delegates have been given instructions on how to obtain all policy and guidance material necessary to perform their authorised functions.

7.2.1 Ongoing Oversight

These activities (supervision, monitoring and tracking) are not necessarily separate activities, they are generally conducted together as part of the ongoing oversight.

The overseeing office will provide supervision to ensure the delegate is performing assigned authorised functions in accordance with the appropriate regulations, policies and procedures. The regulatory oversight of the delegate is designed to:

- Ensure that the delegate has obtained and maintains all guidance material necessary to perform the authorised function(s).
- Determine that the delegate is performing within the scope of their authorised function(s).
- Verify that the delegate has attended appropriate standardisation seminar(s) as required.
- Verify that the delegate has ongoing activities to justify continuance of the delegation.
- Ensure the delegate has direct communication to appropriate authorities within CASA, including the assigned overseeing office.
- Emphasise that the delegate should seek CASA's assistance in relation to any concerns connected with their authorised function(s).
- Verify that the delegate has appropriately recorded and reported activities in relation to the exercise of his delegation.

7.3.1 Delegate's Performance

In accordance with relevant specific oversight guidelines, the overseeing office will conduct a one-on-one meeting to discuss the delegate's performance. Appropriate corrective action (e.g. additional training or counselling) will be determined and initiated if the delegate fails to demonstrate acceptable methods, techniques and practices. After completion of corrective action, a follow-up session will be conducted to determine if the delegate's performance is acceptable. If it remains unsatisfactory, possible revocation will be considered. Unsatisfactory performance issues and the date of follow-up will be documented.

Note: Safety-related situations must be acted on immediately.



7.4.1 Reports

Delegates will be required to report their activity to CASA using different methods and at different frequencies depending on the nature of the power or function being exercised.

Upon receipt of activity reports from delegates, CASA will ensure that the report is recorded promptly and appropriately into CASA systems, and if not submitted directly to the appropriate oversighting office will be made available to that office in a timely manner.

The oversighting office will monitor the delegate's activity by reviewing the work records and reports for accuracy, and by observing the delegate's activity to ensure that they use proper procedures and satisfactory techniques or methods:

- As required by relevant specific oversight guidelines, witness the delegate exercising their delegated power or function to ensure satisfactory techniques are used.
- Ensure that all documentation initiated by a delegate is processed in accordance with the appropriate regulations, guidance material and any direction provided by CASA. Review a sample of the delegate's documentation and discuss any discrepancies.
- Review completed documentation of authorised function(s) performed by the delegate.
- Document and record all oversight actions undertaken, including any feedback to the delegate, documents reviewed and interviews undertaken.

8.1.1 Introduction

This section currently provides the requirements for the renewal of an **airworthiness** industry delegation, covering the responsibilities of both CASA and the industry delegate. Information regarding renewal of delegations of other technical disciplines is contained in the documents referred to within the Industry Delegate Appointment section of this manual.

8.2.1 Notice of Renewal

CASA will send out a reminder notice to a delegate identifying that their Instrument of Appointment (IOA) or Instrument of Delegation (IOD) is due for renewal in the near future. This reminder will be sent approximately ninety days prior to the instrument expiring. Approximately thirty days prior to the instrument expiring if a renewal application has not been received CASA will contact the delegate via a telephone call as an additional reminder. If a renewal application has not been received and processed prior to the expiry date the delegate will be sent a formal letter identifying that the instrument has expired and the holder is not permitted to exercise any delegated powers contained in the expired instrument. A delegation that has expired is not renewable without reapplication.

8.3.1 Renewal of IOA or IOD

The delegate is responsible for submitting an application to PAC for the renewal of their IOA or IOD.

PAC will process the renewal application in accordance with their documented processes and procedures, and allocate the application to the Delegate Management branch for assessment.

The Delegate Management branch will determine that the need for the appointment still exists, and that CASA has the ability to continue to manage the delegate, in liaison with the appropriate oversighting office.

A delegation may be renewed based solely on a projected or anticipated need. For delegates renewed under this provision, the requirement for sufficient activity will be waived, but all other renewal requirements will apply.

The Delegate Management branch will review the delegate's file for completed activity. Lack of activity may be used as justification for termination.

When determining whether to renew an appointment, the Delegate Management branch must verify that the delegate attended any required standardisation or recurrent seminar(s), and has performed sufficient activities consistent with authorised functions to ensure continued proficiency in those functions.

.If the Delegate Management branch approves the delegate for renewal, the branch will forward a recommendation to PAC for a new instrument to be issued to the applicant. If the renewal application is denied, the Delegate Management branch will forward such advice to PAC recommending a letter be issued to the applicant advising of the decision.

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9.1.1 Introduction

The process to be followed for the revocation of a delegation is the same as for any enforcement action taken against the holder of a civil aviation authorisation as set out in CASA's Enforcement Manual.

This section sets out some guidelines for the revocation (or refusal to re-issue) a delegation.

Delegates who have delegations revoked based on misconduct will in general not be re-appointed. Misconduct is taken to be when a delegate deliberately contravenes the regulations or exercises their powers with reckless disregard for safety.

9.2.1 Basis to Revoke Delegation

The following are some of the circumstances which may warrant the revocation of or refusal to re-issue a delegation:

- **The holder is deceased.**
- **Retired / change of employment** – typically applies to a delegate who works for a company and their instrument is tied with that company.
- **By request** – at the request of the delegate or the delegate's employer.
- **Insufficient activity** – when CASA finds that the delegate has not had sufficient activity to warrant continuance of the delegation.
- **Lapse of qualifications** – when CASA finds the delegate's qualifications for a specific activity have lapsed.
- **Associated approval suspension, revocation or cancellation** – when another approval is required as a basis for the appointment of the delegate (e.g. Air Operator's Certificate, Certificate of Approval), and that approval is suspended, cancelled or revoked.
- **Lack of care, judgement or integrity** – when CASA finds the delegate has not demonstrated the care, judgement or integrity necessary to exercise the delegation properly.
- **Lack of CASA need or ability to manage** – CASA no longer needs the services of the delegate or no longer has the resources to manage the delegate.
- **Unsatisfactory performance** – when CASA finds that the delegate has not properly exercised or satisfactorily performed the duties of the delegation.
- **Any other appropriate reason** – any other reason considered appropriate by CASA.

When determining whether to revoke (or recommend revocation of) a delegation based on performance-related issues, the overseeing office may want to consider options to aid in improving the delegate's performance to a satisfactory level. These options include counselling the delegate, providing training, recommending the delegate obtain additional training, closely monitoring the delegate's work activities for a determined amount of time, and reducing the authorised areas/functions. If the overseeing office determines that the delegate has not improved to CASA's satisfaction, then the delegation will be revoked (or a recommendation made for revocation).

Industry Delegates Management Manual

Revision History

Approved by Executive Manager, Industry Permissions Version 2.0: May 2011

Revision History

Version	Release Date	Chapter/Section	Details
2.0	May 2011	Entire manual	<p>Major update to and supersedes the Industry Delegates and Authorised Persons Management Manual.</p> <p>The new version includes a change of title.</p> <p>It also incorporates the content of the Instruments of Appointment & Instrument of Delegation Entry Control Process Document (February 2010), which will now become obsolete.</p>
1.1	December 2003	Chapter 3	References to ATO Candidate form and ATO Assessment form incorporated in text.
		Form 227 and Form 1107	Amended as "Non-Airlines".
		Form 1215 and Form 1216	New forms "ATO Candidate" and "ATO Assessment" respectively for "Airlines" introduced.
1.0	June 2003	Entire manual	First release of the Industry Delegates and Authorised Persons Management Manual.



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