



ANNEX TO PRINCIPLE (DEL.08)

Annex X - CASR 91.Y - Minimum equipment lists

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Acknowledgement of Country

The Civil Aviation Safety Authority (CASA) respectfully acknowledges the Traditional Custodians of the lands on which our offices are located and the places to which we travel for work. We also acknowledge the Traditional Custodians' continuing connection to land, water and community. We pay our respects to Elders, past and present.

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1. CASR 91.Y - Minimum equipment lists

1.1 Purpose

This annex describes the specific scope of the provision and supporting appointment criteria to appoint an applicant as an external delegate to approve, vary or extend minimum equipment lists for Australian aircraft under the *Civil Aviation Safety Regulations 1998 (CASR)*.

Note: Annex X is an annex to [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#) and is supported by Worksheet (DEL.08) Annex X – CASR 91.Y - Minimum equipment lists.

1.2 Scope

A person may apply to be delegated the power to approve, vary or extend rectification intervals for minimum equipment lists for aircraft:

- not operated for either Part 121 operations or operations to which Part 133 or 135 of CASR applies
- an aeroplane that has a certificated seating capacity of more than 38 seats (high capacity) or
- an aircraft that has a certificated seating capacity of 38 seats or less (not high capacity).

1.3 Qualifications

For initial issue, the applicant must have successfully completed the CASA CASR 91.Y minimum equipment list (MEL) course and a mentoring program with a suitably qualified mentor, within 12 calendar months prior to application.

1.4 Knowledge

The applicant will be asked to demonstrate at interview:

- a sound knowledge of relevant CASRs, CAOs and CASA policies and 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 or an extension to a rectification interval.
- a working knowledge of the information contained in aircraft type certification standards, information contained in aircraft type certificates (TC) and type certificate data sheets (TCDS), airworthiness limitations and certification maintenance requirements (CMR), aircraft flight manuals (AFM), airworthiness directives (AD) or other airworthiness and maintenance data applicable to the type of aircraft and prescribed purpose of operation
- a sound knowledge of the appropriate conditions that may be set in the interests of safety, including operational limitations.

1.5 Competence

The applicant will be asked to demonstrate competence in:

- the application of policies, methodologies and processes described in the applicant's written procedures
- their 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
- their ability to find and interpret information from foreign National Aviation Authorities (NAAs) related to airworthiness, maintenance, and operational requirements.

1.6 Experience

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

1.6.1 Non-high capacity aircraft

- 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.

1.6.2 High capacity aeroplanes

- 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 may be considered and will be subject to review by CASA on a case-by-case basis.

1.6.3 Additional requirements

Where the applicant, at the time of application is not delegated to approve an MEL, they must have carried out, under the supervision of CASA or a person delegated for the purpose of CASR 91.Y, 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 (e.g. >38 or First of Type).

Where the applicant, at the time of application is delegated to approve an MEL 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 CASR 91.Y, the functions leading up to the approval of at least one Minimum Equipment Lists for an aircraft certificated with more than 38 seats.

1.7 Procedures manual - Specific criteria

In addition to the criteria listed at Appendix A in [Principle \(DEL.08\) Managing airworthiness-related external delegates and authorised persons](#), the applicant will be required to include the following in their procedures manual.

1.7.1 Reporting

Details of a register to record the following information about each approval issued, stating the:

- manufacturer, type, model, and serial number of the aircraft
- registration marking
- date of issue, and expiry (if applicable) of each approval

1.7.2 Application

- Description of the application process
- Acceptance/rejection of the nominee.

1.7.3 Assessment

- Technical requirements address the same subject matter set out in or refer to CASA [Protocol \(OPS.01\) – Minimum equipment list \(MEL\)](#) as appropriate
- Checklists setting out what must be checked during assessment
- Compilation of work/assessment package.

1.7.4 Authorisations

- Completing assessment documentation
- Method of authorisation detailed.

1.8 Surveillance of IODs

1.8.1 Condition – Individual conditions, scope and limitations

Each Instrument of Delegation contains conditions and limitations specific to the individual. Common to these conditions are:

- The scope of the delegation
- Requirement to comply with an approved procedures manual; and
- A requirement to ensure all documents and checklists used in the application, assessment and issue of the certificate, are sent to the Civil Aviation Registrar within 7 days after issue.

For Surveillance activities, these areas may be validated by:

- A record of activity is maintained and aligns to the DMNS task list on Power BI
- Reviewing the activity shown in DMNS to verify it aligns with the scope of powers held
- Sample procedures are still suitable to ensure MEL's are approved and comply to the CASR's and MMEL requirements.
- Ensure procedures have been changed to reflect changes from CAR 37 to 91Y. References to PU's should only be referenced where a second extension may be required and only if approved by CASA.
- Requesting sample MEL work packages across the activities. I.e. Initial, Variation and Extensions
 - Sample tasks within selected MEL's against OPS.01 Worksheet
 - Sample the "O" conditions to ensure they are customised as required to meet the AOC's operational requirements and operations manual
 - » Customising of "O" conditions should consider the range of operational approvals and limitations that may apply dependent on the Flying Operations being conducted. I.e., 119, 131, 133, 135, 137, 138, 141, 142 etc
 - » Ensure operational considerations have been developed by an appropriate person in the AOC with flying operations and aircraft type knowledge
- Review MEL against MMEL ensuring
 - Aligned to correct Type Certification as identified in the C of A. Review TCDS to ensure correct MMEL used as basis of MEL approval
 - The preamble and format comply with the appropriate issuing guidance. FAA Policy Letter PL-34, EASA GM5 MMEL
 - MEL is not less restrictive than the MMEL
 - MEL is reflective of the aircraft configuration
 - Part 90, 91 & Flying Operations airworthiness requirements have been reflected in MEL.

An MEL is not considered a Permissible Unserviceability (21.007) and may not override airworthiness requirements unless an exemption is in place. CASA is developing an exemption to allow MMEL items to be acceptable for equipment identified in MOS

Example Part 121 MOS:

11.06 Serviceability of equipment

Any equipment required by this Chapter to be fitted to, or carried on, an aeroplane for a flight must be operative unless:

- (a) another section of this Chapter provides otherwise; or
- (b) the equipment:
 - (i) is inoperative because of a defect that has been approved as a permissible unserviceability for the aeroplane for the flight; and
 - (ii) is fitted or carried in accordance with the permissible unserviceability.

If Non-Airworthiness Defects (NAD) have been included, the MMEL authorises the use, and the NAD approval process is documented and appropriate.

Extensions are only applied once, and only for B & C categories tasks. Extensions cannot be applied more than once by a delegate without application to AEB in the form of a permissible unserviceability (21.007).

Note: The auditor may seek input from an appropriately qualified person to sample the operational requirements and to validate they have been incorporated accordingly.

1.8.2 Condition - Maintaining a register

The delegate must maintain a register containing the following information:

- The name of the registered operator
- The manufacturer, type, model and serial number of the aircraft
- The registration marking
- The specific nature of the special flight permit
- The date of issue and date of expiry (if applicable) of each document

During surveillance, the register is validated by reviewing the DMNS records against the register held by the authorisation holder.

1.8.3 Condition - Maintaining records

The delegate must maintain copies of all documents associated with the exercise of power for at least 5 years after the date of issue. The inspector may review the following documents to determine whether the records are adequately maintained. Storage conditions and the content maintained should be accessible on site to the inspector. This can be paper based or electronic, however should be consistent with the authorisation holders procedures. If electronic (soft copy) then suitable back up files should be maintained.

1.8.4 Condition - Notification to CASA of intent to exercise powers

On engagement by a client, and prior to exercising their powers, the delegate must notify CASA through the Delegate Management Notification System. Compliance with this conditions may be validated by reviewing records within the evidence package to establish a reference point.

1.8.5 Condition - Notification of outcomes to CASA

The delegate must record the details of the outcome to CASA into the DMNS within 14 days after a power is exercised. Compliance with this condition may be verified by comparing the DMNS records task completed date against the date identified on the certificate issued.

1.8.6 Condition - Availability of records

It is a condition of an authorisation that a delegate must make their register and all documents available to a CASA inspector for inspection. Assessment should sample actual records including:

- Register of tasks completed
- Work Packages supporting / demonstrating compliance for the issue of certificate
- Access to aircraft records where tasks are in progress
- Access to ICA where tasks are in progress.

1.8.7 Relating a regulatory breach to a delegation

If a breach of a condition is found during a surveillance event, the inspector is to record the deficiency against the relevant condition and use the relate function in EAP to relate the breach to the regulation CASR 91.Y. This will enable reporting against that delegation.

1.9 Revision history

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

Table 1. Revision history table

| Version No. | Date | Parts / Sections | Details |
|-------------|----------------|------------------|--------------------------|
| 1.1 | November 2024 | 1.8 | Add Surveillance section |
| 1.0 | September 2024 | All | First issue |