

A decorative graphic consisting of overlapping geometric shapes in shades of green and blue. It contains two grayscale photographs: one of a crowd of people walking and another of hands writing on a document.

## **Temporary Management Instruction- 08/2018**

<b>TMI Title</b>	Part 142 Sample Exposition and Part 142 Assessments
<b>Associated Manual</b>	Part 142 Technical Assessor Handbook
<b>Approver</b>	Executive Manager Regulatory Services and Surveillance
<b>Effective Date</b>	29 May 2018
<b>Termination Date</b>	30 November 2018

### Purpose

The purpose of this Temporary Management Instruction (TMI) is to provide guidance and direction to Inspectors and other CASA persons ('assessors'), who conduct entry control assessments of CASR Part 142 expositions (either for new entrants or those FTOs transitioning) that have been developed using the Part 142 SE as a template.

### Background and definitions

Flight Training Operators (FTOs) that conduct CASR Part 142 training are required to have a Part 142 exposition approved by CASA. CASA has developed a Part 142 Sample Exposition (Part 142 SE) to assist industry in developing this and also to provide greater standardisation and efficiency in the assessment of those expositions submitted to CASA.

### Applies to

This TMI applies to all assessors of an exposition derived from the Part 142 SE and persons holding delegations to issue a Part 142 authorisation. Components of this TMI also are applicable to all Part 142 assessments.

### Instruction

#### Scope of the Part 142 Sample Exposition

The Part 142 SE has been developed to meet the requirements described in CASR 142.340 (and other relevant regulations) for an FTO that conducts Part 142 Integrated Commercial Pilot Licence (CPL) training, non-integrated training and who has up to approximately 25 regular safety sensitive employees.

Notwithstanding the above, an operator outside this scope may still utilise the Part 142 SE as a template for their exposition, however, it is likely that additional procedural material would be required. In such cases operators may require more robust structures, processes and procedures in keeping in the size and scope of their operation.

The Part 142 SE has been developed with four guiding design principles, (1) simplicity, (2) practicality (3) reducing red tape and (4) a strong focus on limiting material which is not mandated in the regulatory framework.

**Note:** It is assumed a Part 142 applicant will develop their own Safety Management System (SMS) Manual and Drug and Alcohol Management Plan (DAMP). The Part 142 SE allows for insertion of these documents.

**Note:** The Part 142 SE is constructed based on 'Sample Aviation' - a fictitious FTO that operates fixed wing, piston aircraft and they are not the registered operator of the aircraft. The Part 142 SE Guide expands more on the scope and the requirement to include other material where required by regulations that apply to the differences from 'Sample Aviation'.

### Operator amendment to the Part 142 Sample Exposition and CASA acceptance

The Part 142 SE contains three broad classes of content as described in the Part 142 SE Guide. Operator adoption, amendment and submission of this content and methods of CASA assessment is to be carried out using the following methodologies:

1. Part 142 SE content demonstrating a means of compliance with CASR Part 142:
  - a. Unaltered Part 142 SE content that is adopted by an FTO conforming with the scope of the Part 142 SE, will be accepted by CASA.
  - b. Part 142 SE content that has been amended by an operator will be reviewed for consistency and accuracy with regard to the Part 142 provision, and if suitable, will be accepted.
2. Areas of the Part 142 SE where content is required to be inserted by the operator will be reviewed for consistency and accuracy, e.g. contact or aircraft details, SMS Manual, DAMP.
3. Part 142 SE content relating to CASA legislation not contained in Part 142 (described as “Standard Practice” in the Guide):
  - a. Unaltered Part 142 SE content that is adopted by an FTO conforming to the scope of the Part 142 SE will be accepted.
  - b. Part 142 SE content that has been amended or developed by the operator will be reviewed to determine whether it is an acceptable means of compliance with the relevant regulatory provision, and if suitable, will be accepted.

Where an operator has amended sections of the Part 142 SE, the assessor will use the Part 142 SE Guide to identify the intent and scope of the Part 142 material to assess the suitability of the operators’ amendments. The Part 142 Technical Assessor Handbook may also be consulted for further advice on current CASA policy.

Additional material may be required to demonstrate compliance with Part 142 for FTOs not covered by the scope of the Part 142 SE. When considering any requirement for additional content from an operator, an assessor must consult with the Certificate Team Manager (CTM) prior to communicating any such requirement with the applicant.

A CTM is then to ensure any requirement for additional material can be, and is, justified with regard to the size and scope of the proposed operation. ***That is, it is reasonable to believe that it is not possible to determine whether the operator would comply with their regulatory responsibilities without including such additional material.***

The assessor worksheet is to be used to document the assessment process. The assessor is to indicate where material is acceptable, unacceptable, whether more information is required, where a site visit is required, or an interview and/or assessment flight is required for a key person.

### Syllabus Assessment

When an operator provides a syllabus to CASA, a 100% analysis / review of the material is not required. An assessor shall conduct an assessment by sampling ‘elements’ that are most relevant or safety critical for each qualification (e.g. C4.2 Manage fuel system and A4 Land Aeroplane for the recreational pilot licence) and then evaluating compliance with the Part 142 training requirements. If errors are identified further sampling should take place.

The assessor will also ensure the general framework of each syllabus meets the Part 61 requirements for the grant of the qualification e.g. required hours.

If relevant, FTOs must briefly describe a transitional process within the manual as to how existing trainees that are managed by an extant syllabus will transition to any newly constructed flight training syllabus.

### **Method of providing feedback to applicants**

In a manner like that presently described for the issue of Non-Compliance Notices, an assessor must always clearly delineate between feedback that is 'a recommendation only' as opposed to feedback that is a 'regulatory requirement' in order to approve a manual. Feedback that is 'a recommendation only' must still be founded in aviation safety and not general business practice advice.

A regulatory reference must always be quoted when providing feedback that is a regulatory requirement. All feedback must be in a written format and stored in the CASA electronic record keeping system.

### **Assessing the operator's key personnel and facilities**

An assessor must be satisfied the key personnel and facilities meet the requirements of CASR Part 142. However, when assessing extant key personnel and facilities of operators that are transitioning to a Part 142 (non-transitional) Authorisation, the assessor can rely upon the following:

1. For the CEO, the same criteria that would have applied if the AOC was being renewed. In other words, if the CEO is the same person, and the AOC would have been renewed with the same CEO, the assessor would conclude that the CEO continues to be a fit and proper person for that position and be capable of carrying out the duties under Part 142.
2. For the Head of Operations, a statement from the operator and the proposed HoO that he or she meets the qualifications and experience requirements in regulation 142.185.
3. For the Safety Manager, the proposed person meets the criteria in the regulations with the assessment being carried out in accordance with the training that has been delivered by the Safety Systems Branch (now Coordination and Safety Systems).

When assessing the operator's facilities, the assessor can rely upon the most recent surveillance report or activity. If the operator's facilities were considered suitable at that time, then further assessment such as a site visit is not required.

### **Operations Manual Content required by CAR 215**

As described by CASR 142.340(s) the exposition of a Part 142 FTO must include "an operations manual". This is a reference to the manual required by CAR 215 as relevant to the Part 142 flight training activities. An assessor shall use the 'content' described in CAAP 215-1(2) as a checklist to validate the inclusion of material that is relevant to the particular Part 142 flight training activity. There is no requirement for the content to be provided in the format described in CAAP 215-1(2). Further assessments of this material should be conducted in accordance with extant guidance material.

### **Assessments of an Integrated Training Course**

Guidance for the assessment of an integrated training course is provided by the Part 142 Technical Assessor Handbook and the relevant information fact sheet. Where it is unclear to an assessor that a proposed course meets the definition described in the CASR Dictionary of 'Integrated Training', the assessor shall seek review from Flight Standards Branch.

For clarity, the Part 142 SE provides an example only of policy pertaining to an Integrated Training Course; FTOs are not required to replicate the example but must comply with the definition described in the CASR Dictionary.

### **Safety Management System Content**

Where required by CASR 142.260, the FTO is required to insert a Safety Management System (SMS) Manual that meets the requirements of CASR 142.265. The Part 142 SE includes material relevant to CASR 142.265(1)(b) and CASR 142.265(8) – which in a practical sense includes the quality assurance aspects (of training) of the Safety Management System described in CASR 142.265.

The operator's SMS provisions should be assessed using the methodology covered by the SMS assessor training that has been delivered by the Safety Systems Branch. Assessments of an SMS Manual shall be conducted in the routine manner of any other SMS Manual required by the regulations (i.e. conducted by an appropriately trained Flying Operations Inspector or Safety Systems Inspector).

### **Flight Training Operators that propose to conduct both Part 142 and Part 141 flight training activities**

Where an FTO proposes to conduct flight training activities that are described in both CASR 142.015 and 141.015, the assessor shall assess the application using the Part 142 Worksheet and Part 142 Technical Assessor Handbook. The assessor shall review the Part 141 flight training syllabus as described by this TMI. An FTO that meets the Part 142 worksheet requirements and has provided a suitable syllabus for the Part 141 flight training activity can be considered to meet the requirements for the grant of a Part 141 certificate without further Part 141 assessment. The issue of a Part 141 Certificate to authorise the Part 141 flight training component shall be notated on the Standard Form Recommendation.

### **Guidance for transitioning operators who also conduct CAR 206 commercial purposes when using the 142 Sample Exposition as a template**

Where an operator conducts activities described by CAR 206 in addition to Part 142 flight training and opts to use to Part 142 SE as a template, the operator should be encouraged (although not required) to construct the exposition in a manner that anticipates the introduction of other relevant operational regulatory requirements (e.g. Part 133, 135, 138). Further information is available in the 'Expositions' fact sheet.

### **Training for a person who conducts Part 142 Exposition Assessments**

Assessors who conduct assessment of a Part 142 exposition based on the Part 142 SE must have completed training specific to Part 142 SE assessments. CASA must maintain a register of assessors who have successfully participated in Part 142 SE Assessment Training. This training will include, at least:

1. Part 142 SE rationale and application.
2. Assessor materials and methodology.
3. Regulatory requirements - Managing Part 142 regulatory requirements, managing content required by other regulations and the role of SME's in assessment.
4. Feedback methods - Acceptable methods of providing feedback to Applicants.
5. Application of this TMI.

## Process

See Part 142 Technical Assessor Handbook

## Links to Associated Documents

- [Part 142 Sample Exposition and Guide](#)
- [Part 142 Technical Assessor Handbook](#)
- [Part 142 Technical Assessor Worksheet](#)

Signed

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