



Temporary Management Instruction - 09/2018

TMI Title	Part 141 Sample Operations Manual and Part 141 Assessments
Associated Manual	Part 141 Technical Assessor Handbook
Approver	Executive Manager Regulatory Services and Surveillance
Effective Date	29 May 2018
Termination Date	30 September 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 141 Operations Manuals (either for new entrants or those FTOs transitioning) that have been developed using the Part 141 SOM as a template.

Background and definitions

Flight Training Operators (FTOs) that conduct CASR Part 141 flight training are required to have a Part 141 Operations Manual approved by CASA. CASA has developed a sample Part 141 Operations Manual (Part 141 SOM) to assist industry in developing this manual and also to provide greater standardisation and efficiency in the assessment of those manuals submitted to CASA.

Applies to

This TMI applies to all assessors of a manual derived from the Part 141 SOM and persons holding delegations to issue a Part 141 authorisation.

Note: Assessments relating to FTOs that conduct both Part 141 and Part 142 flight training should be managed under Part 142 guidance material.

Instruction

Scope of the Part 141 Sample Operations Manual

The Part 141 SOM has been developed to meet the requirements described in CASR 141.260 (and other relevant regulations) for a FTO that conducts Part 141 flight training and operates with up to 10 regular safety sensitive employees.

Notwithstanding the above, a non-complex operator with more than 10 regular safety sensitive employees may still utilise the Part 141 SOM as a template for their operations manual, however, it is likely that additional procedural material would be required where the template is used out of scope. In such cases, additional procedural material may be required to describe persons who perform procedures if they are delegated i.e. a description of procedures to meet the requirements of CASR Part 141.260(k).

The Part 141 SOM 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 The delineation of 10 safety sensitive employees is intended to be consistent with the provisions for the CASA micro-business DAMP provisions. That is, if the micro-business DAMP provision applies to an operator, then they are considered within the scope of the Part 141 SOM.

Note Part 141 SOM 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 141 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 141 Sample Operations Manual and CASA acceptance

The Part 141 SOM contains three broad classes of content as described in the Part 141 SOM Guide. Operator adoption, amendment and submission of this content to be dealt with using the following methodologies:

1. SOM content demonstrating a means of compliance with CASR Part 141.
 - a. Unaltered SOM content that is adopted by an FTO conforming with the scope of the Part 141 SOM, will be accepted by CASA.
 - b. SOM content that has been amended by an operator will be reviewed for consistency and accuracy with regard to the Part 141 provision, and if suitable, will be accepted.
2. Areas of the Part 141 SOM where content is required to be inserted by the operator will be reviewed for consistency and accuracy, e.g. contact or aircraft details
3. SOM content relating to CASA legislation not contained in Part 141 (described as “Standard Practice” in the Guide):
 - a. Unaltered SOM content that is adopted by an FTO conforming to the scope of the SOM will be accepted.
 - b. SOM 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 141 SOM, the assessor will use the Part 141 SOM Guide to identify the intent and scope of the SOM material to assess the suitability of the operators’ amendments. The Technical Assessors Handbook may also be consulted for further advice on current CASA policy.

Additional material may be required to demonstrate compliance with Part 141 for FTOs not covered by the scope of the Part 141 SOM. 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 to assess a key person.

Assessing the operator’s key personnel and facilities

An assessor must be satisfied the key personnel and facilities meet the requirements of CASR Part 141. However, when assessing extant key personnel and facilities of operators that are transitioning to a Part 141 (non-transitional) Certificate, 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 141.

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 141.125.

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

CASA sample syllabuses

An operator can elect to adopt the CASA standard syllabuses for their Part 141 training. In this instance CASA will accept these syllabuses unaltered except for the addition of unique operator identification. Where an operator generated syllabus is provided to CASA, a 100% analysis / review of the material is not required. In this instance 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 141 training requirements. If errors are identified further sampling should take place.

Where an operator generated syllabus is provided to CASA, 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.

Training for a person who conducts Part 141 SOM assessments

Before an assessor conducts assessment of a Part 141 operations manual they must have completed training in the assessment process, including training specific to Part 141 SOM assessments. CASA must maintain a register of assessors who have successfully participated in Part 141 Assessment Training. This training will include, at least:

1. Part 141 SOM rationale and application.
2. Assessor materials and methodology - Use of any worksheets and/or assessor guidance materials and the methods of efficiently interacting with information technology.
3. Regulatory requirements - Managing Part 141 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.

Transitional strategies - The recommended transitional strategies for managing current operators and their manuals and readiness for future regulatory implementation interaction with existing operations manuals and recommended transition methods.

In readiness for the roll out of other Operations Regulations that will require an exposition supported by a suite of manuals (e.g. CASR Parts 119, 133, 135, 138 etc) operators should be encouraged to maintain a stand-alone manual or chapters contained in one larger manual for each activity such as Part 141 flight training operations and retain their existing manual(s) for other non-flight training activities (e.g. charter and aerial work activities). As additional Operations Regulations are rolled out, the Part 141 SOM concept can be followed to develop this material.

An operator may choose to incorporate existing manual content into a manual based on the Part 141 SOM template. However, where an operator elects to retain an existing manual as well as submitting a Part 141 manual based on the Part 141 SOM, the existing manual must be amended to remove any conflicting or duplicated material (e.g. by removing Part E). An assessor is not required to review amendments to an existing manual for the purpose of approving a 141 Authorisation.

Process

See Part 141 Technical Assessor Handbook

Links to Associated Documents

- [Part 141 Sample Operations Manual](#)
- [Part 141 Technical Assessor's Handbook](#)
- [Part 141 Assessor's Worksheet](#)

Signed

Name	Scott Watson
Position Title:	Acting Branch Manager Flight Standards
Division:	National Ops and Standards, Aviation Group
Date:	29 May 2018