



Australian Government

Civil Aviation Safety Authority

Civil Aviation Safety Regulations 1998
Part 42 – Continuing airworthiness
requirements for aircraft and
aeronautical products

Guidance Material

Part 42 Users Guide

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User's Guide to CASR Part 42

This Guide has been written to provide the reader with guidance on *Civil Aviation Safety Regulations 1998* (CASR) Part 42. The Guide is not a legal document; rather it paraphrases the actual regulations to provide a succinct and more easily read document. The reader will find that the Guide replicates the numbering of Part 42; however text and headings are not the same. The Guide provides no coverage of matters that are not currently applicable i.e. the application of CASR Part 42 is currently restricted to aircraft and aeronautical products used for the provision of regular public transport (RPT) operations.

The Guide does not include specific detail on the CASR Sub Parts 42.G (Continuing Airworthiness Management Organisation) and F (Approved Maintenance Organisation for Small Aircraft); as these organisations and their approvals have or will have their own guidance provided by the CASR Part 42 Manual of Standards (MOS) Acceptable Means of Compliance/Guidance Material document.

The focus of the Guide is to cover off only application to registered operators (RO) providing RPT operations (such who require their own Continuing Airworthiness Management Organisation (CAMO)). At this stage CASR Part 42 only applies to Australian registered aircraft approved for RPT operations as provided by *Civil Aviation Regulations 1988* (CAR) 206(1) (c). No application is ever contemplated for balloons, airships, sailplanes, light sport aircraft, experimental aircraft, amateur built aircraft or aircraft issued with a special flight permit or a Limited Category certificate of airworthiness. Aircraft used in charter, aerial work and private operations will continue to be maintained and managed under the existing CARs until further regulatory amendments are made to expand the application of CASR Part 42.

The expansion of CASR Part 42 applicability is anticipated to commence two years after the making of the maintenance regulations suite, but this is dependent on the operational suite of regulations being available. No further major amendment of the maintenance suite is contemplated to occur until the aircraft currently employed in charter operations become 'air transport operations' under the new operational regulations. The next segment of maintenance regulation development will be conducted inline with the operational regulations. During that regulatory development period, matters such as: contracting a CAMO; independent Licensed Aircraft Maintenance Engineers (LAMEs), other than RPT operations and pilot maintenance on small aircraft, will be added to the Guide.

CASR Part 42 – Continuing airworthiness requirements for aircraft and aeronautical products

SUBPART 42.A - PRELIMINARY

42.005 Purpose

CASR Part 42 was written to set out continuing airworthiness requirements, including requirements for carrying out maintenance, for aircraft and aeronautical products and to provide the Civil Aviation Safety Authority (CASA) with the power to issue a MOS for Part 42.

42.010 Applicability of the Part

At this stage CASR Part 42 is only applicable to Australian aircraft and their aeronautical products, when they are operated under a RPT Air Operator Certificate (AOC).

42.015 Definitions

There are definitions provided in the *Civil Aviation Act 1988* (the Act), the CASR dictionary and CASR Part 42. See the relevant legislation for the detail of definitions.

42.020 Part 42 Manual of Standards (MOS)

The Part 42 MOS may specify the following matters:

- (a) Authorised Release Certificates (ARCs) certified by manufacturers in foreign countries may be recognised;
- (b) ARCs certified by foreign maintainers may be recognised;
- (c) that an aeroplane of a particular type is a large aircraft;
- (d) that a helicopter of a particular type is a large aircraft;
- (e) that an aeroplane of a particular type is a small aircraft;
- (f) that a helicopter of a particular type is a small aircraft;
- (g) maintenance for LAMEs and independent LAMEs;
- (h) maintenance for pilots (not CAMO authorised pilot maintenance);
- (i) maintenance for pilots and flight engineers carrying out maintenance for an AOC holder (CAMO authorised pilot maintenance);
- (j) requirements for a maintenance program;
- (k) requirements for a reliability program;
- (l) that a document is an aviation industry standard;
- (m) Subpart F maintenance organisation requirements; including specialist maintenance, ratings for aircraft, aeronautical products and specialist maintenance, approval rating privileges, exposition requirements, organisational requirements; and
- (n) CAMO requirements; including what is dealt with by the CAMOs exposition
 - (i) facilities;
 - (ii) managers;
 - (iii) employees;
 - (iv) equipment;
 - (v) a quality management system;
 - (vi) the holding of instructions for continuing airworthiness;
 - (vii) records; and
 - (viii) a procedure for making insignificant changes to the organisation.

SUBPART 42.B - REQUIREMENTS FOR REGISTERED OPERATORS

42.025 Purpose of Subpart

The 42.B Subpart sets out the continuing airworthiness requirements that apply to the RO of the aircraft.

42.030 Continuing airworthiness requirements

The continuing airworthiness requirements to be ensured by the RO before permitting an aircraft to fly include:

- (a) ensuring rectification of defects;
- (b) ensuring compliance with all airworthiness directives;
- (c) making only approved modifications and repairs;
- (d) replacing life limited aeronautical products;
- (e) complying with approved maintenance program;
- (f) measuring the effectiveness of the approved maintenance program;
- (g) ensuring each item of operational or emergency equipment required by or under the regulations is serviceable and fitted; and
- (h) ensuring that an airworthiness review certificate is in force for the aircraft.

If maintenance has been carried out on the aircraft a Certificate of Release to Service (CRS) is required in relation to that maintenance.

The flight technical log for the aircraft needs to record the details of any item of operational or emergency equipment fitted to the aircraft that is not required by the approved design for the aircraft that is unserviceable and not required under the regulations for the flight.

If the aircraft is to operate and there is a defect in the aircraft; the operation of the aircraft is to be permitted by the Minimum Equipment List Configuration Deviation List or Special Flight Permit.

42.035 Condition of AOC — aircraft authorised to operate under AOC

The requirement for a CAMO is an AOC condition.

42.040 Aircraft authorised to operate under AOC must have a CAMO

The RO of aircraft operating under air transport AOC (initially RPT only) must be approved by CASA as a CAMO. The RO must have a CAMO integral to the AOC with the same accountable manager. In the future requirements, CAMO and contracted CAMOs may be applied to other than RPT aircraft operators.

42.090 Retaining copies of authorisations

The RO must retain a copy of the authorisation, issued to the pilot licence holders and flight engineers to carry out maintenance, for at least two years after the authorisation ceases to be in force.

42.095 Keeping list of authorised pilot licence holders and flight engineers

The RO must keep an up-to-date list of the pilot licence holders and flight engineers who hold authorisations to carry out maintenance on the ROs aircraft.

SUBPART 42.C - REQUIREMENTS FOR CAMO

42.115 Rectification of defect to aircraft before flight

If the CAMO becomes aware that there is a defect on the aircraft, the defect must be rectified unless aircraft operation with the defect is permitted by:

- (a) the minimum equipment list for the aircraft;
- (b) the configuration deviation list for the aircraft; or
- (c) a special flight permit for the flight.

The regulation does not apply:

- (a) In relation to a defect that consists of or is caused by damage to the aircraft, that is approved as a permissible unserviceability; or
- (b) A defect on an item of operational or emergency equipment fitted to the aircraft that is not required by the approved design for the aircraft or under these regulations.

42.120 Compliance with airworthiness directives

If an airworthiness directive (AD) applies to an aircraft aeronautical product that is part of or used in the aircraft, the AD requirements must be complied with (unless an exclusion has been granted).

42.125 Approval of design for modifications or repairs to aircraft

The CAMO must ensure that the aircraft is not modified, unless there is a CASR Part 21 approval for the design for the modification and the modification is compatible with the configuration of the aircraft at the time the modification is made.

The CAMO must ensure that a repair that involves a change to the design of the aircraft is not made, unless there is a CASR Part 21 approval for the design for the change involved in the repair; and the repair is compatible with the configuration of the aircraft at the time the repair is made.

42.130 Dealing with certain instructions for continuing airworthiness — aircraft operated in CAR 206 (1) (c) regular public transport

If a non-mandatory instruction for continuing airworthiness (e.g. Service Bulletin) is issued for the aircraft, engine or propeller; the CAMO must ensure that the instruction is complied with and recorded in the continuing airworthiness records system for the aircraft. If the instruction is not to be complied with then the record must include the reason for not complying with the instruction.

42.135 Replacement of life limited aeronautical product

If an aeronautical product that has a life limit is fitted to an aircraft, the CAMO must ensure that the aeronautical product is replaced at or before the time its life limit is reached.

42.140 Approved maintenance program required

The CAMO must ensure that at all times there is an approved maintenance program for the aircraft.

42.145 Compliance with maintenance program required

The CAMO must ensure that maintenance is carried out on the aircraft in compliance with the maintenance program for the aircraft.

42.150 Updating approved maintenance program following change to instructions for continuing airworthiness

The CAMO must make any changes to the approved maintenance program required to ensure the program continues to comply with the instructions for continuing airworthiness for the aircraft and aeronautical product fitted to the aircraft.

42.155 Measuring effectiveness of approved maintenance program using an approved reliability program

The CAMO must ensure that there is an approved reliability program for the aircraft if the approved maintenance program for the aircraft:

- was developed using the specification known as MSG-3;
- includes maintenance for an aeronautical product that is described as condition monitored maintenance;
- includes an Extended Diversion Time Operation approval; or
- includes instructions for continuing airworthiness that require the use of a reliability program.

42.160 Measuring effectiveness of approved maintenance program

If the CAMO does not utilise a reliability program, it must, at least once every 12 months, analyse the effectiveness of the tasks mentioned in the maintenance program for the aircraft in ensuring the airworthiness of the aircraft.

A record must be made of the process and data used to carry out the analysis and analysis results. If the results of the analysis indicate that the maintenance program should be varied, the CAMO, within 30 days after completing the analysis, must approve or apply to CASA for a variation to the maintenance program.

42.165 Removal of aeronautical products previously fitted to a grounded aircraft

If an aeronautical product has been fitted to a grounded aircraft away from the main base, and no Form 1 was available at that time, then the CAMO must obtain the Form 1 within 36 flight hours or ensure that the product is removed from the aircraft.

42.170 CAMO record system

The CAMO must have a system that is capable of containing the continuing airworthiness records for the aircraft. Such a system must be able to identify the aircraft by make, type and model designation, registration mark and serial number.

42.175 Requirement to record information

When the CAMO is required to record or update information then that record/update must be made to the continuing airworthiness records system for the aircraft.

42.180 Information about aircraft engines and propellers

The CAMO must keep an up-to-date record of information that identifies each of the engines and propellers fitted to the aircraft including make, type and model designation and serial number.

42.185 Information about empty weight

When a CAMO becomes responsible for the airworthiness management of an aircraft, the CAMO must record the empty weight of the aircraft and the position of the centre of gravity on the aircraft (in its empty weight configuration) before the next flight of the aircraft. If there is a change to the empty weight or the centre of gravity then the CAMO must ensure that the information is updated before the aircraft is next operated for flight.

42.190 Information about utilisation of aircraft

When it becomes responsible for the airworthiness management of an aircraft, the CAMO must record the total time-in-service of the aircraft and other information about the utilisation of the aircraft and aeronautical products. After the aircraft is operated for flight, the CAMO must ensure that time-in-service and utilisation information is up to date by the end of three days after the flight but prior to any maintenance requirement is due and before it is next operated for flight.

42.195 Information about compliance with airworthiness directives (AD)

When it becomes responsible for the airworthiness management of an aircraft, the CAMO must, before the next flight of the aircraft, establish a record pertaining to the following AD information as relevant to the aircraft and its aeronautical products:

- AD identification: if an AD action is required, when the action is due to be carried out; and
- If AD actions requirements have been met:
 - (i) the date that the requirements were met;
 - (ii) the total time-in-service for the aircraft at the time the requirements were met;
 - (iii) if CASA approves more than one means of compliance with the AD, the means that was used to comply with it; and
 - (iv) if the AD applies to an aeronautical product fitted to the airframe, that is normally removable from the airframe, the part and serial number (if any) for the product.

The CAMO will need to record the same information for any AD subsequently issued that applies to the aircraft or an aeronautical product fitted to the aircraft within 30 days of the AD issue or AD change.

42.200 Information about compliance with maintenance program

When it becomes responsible for the airworthiness management of an aircraft, the CAMO must, before the next flight of the aircraft, establish a record pertaining to the following:

- (a) information identifying the maintenance;
- (b) the interval at which maintenance is required;
- (c) if the maintenance relates to an aeronautical product, the part and serial number (if any) for the product;
- (d) the date that the maintenance was carried out; and
- (e) when the maintenance is next due to be carried out.

If there is a change to the maintenance program information as a result of maintenance carried out on the aircraft or an aeronautical product fitted to the aircraft; the CAMO must ensure that the information is updated within 30 days after the CRS for the maintenance is issued but before the due maintenance for the aircraft or aeronautical product.

If there is a change to the maintenance program information, for a reason other than maintenance, then the CAMO must ensure that the information is updated within 30 days after the change occurs; but before the due maintenance for the aircraft or aeronautical product.

If an aeronautical product is fitted to an aircraft, the CAMO must ensure that the record is updated within 30 days after the CRS is issued for the aircraft; but before the due maintenance for the aircraft or aeronautical product.

42.205 Information about modifications

When it becomes responsible for the airworthiness management of an aircraft, the CAMO must before the next flight of the aircraft, establish a record pertaining to the following: a description of the modification; a reference to the design data used for the modification; the date that the modification is made; the total time-in-service for the aircraft at the time the modification is made; and if the modification is made to an aeronautical product that is normally removable from the aircraft, the part and serial number (if any) for the product. The record must be made within 30 days after the CRS for the modification is issued.

42.210 Information about aeronautical products with a life limit

When it becomes responsible for the airworthiness management of an aircraft the CAMO must before the next flight of the aircraft, for the aircraft's aeronautical products, establish life limits record pertaining to the following: details that identify the aeronautical product, including its part and serial number (if any); the life limit for the aeronautical product; and when the aeronautical product is due to be removed from the airframe.

If an aeronautical product that has a life limit is subsequently fitted to the aircraft, the CAMO must record the same information for that aeronautical product.

If there is a change to the information recorded, the update needs to be made within 30 days after the CRS for maintenance is issued or after the date of the change.

42.215 Substantiating documents

A CAMO must be able to substantiate that it has made the required record keeping entries.

42.220 Flight technical log

The CAMO must, at all times, have a log for the aircraft that includes details identifying the aircraft; including the type, model, serial number and registration mark for the aircraft capable of containing the documents and information for the aircraft that are required to be included in the log.

The requirements include details of any item of operational or emergency equipment fitted to the aircraft that is unserviceable, not required by the approved design for the aircraft and not required by or under the regulations for the flight.

Details of the next maintenance required must be recorded in the flight technical log for the aircraft.

If a qualified individual has decided that the defect that affects the operation of the aircraft may be deferred, the information relating to the deferral of the rectification of a defect on an aircraft may be made in the flight technical log for the aircraft

If an aircraft has been fitted with a part (a part not accompanied by an ARC) due to the aircraft being grounded at a location without an authorised maintenance organisation, a relevant entry pertaining to that fitment must be made in the flight technical log for the aircraft.

A CRS must be included in the flight technical log.

The pilot in command of an aircraft for a flight must ensure that the information about the flight is recorded in the flight technical log for the aircraft (unless CASA has approved another means of recording the information).

42.225 Availability of flight technical log

The CAMO must ensure that the flight technical log for the aircraft is available to a person who is the pilot in command of the aircraft.

The CAMO must ensure that the flight technical log for the aircraft is available to a person who is carrying out maintenance on the aircraft.

42.245 Ensuring flight technical log can contain utilisation information if another means not approved

The CAMO must ensure the flight technical log is capable of recording utilisation information for the aircraft and aeronautical products for a flight unless they have approval for another means of recording the utilisation information. This is the utilisation information that the person uses to manage continuing airworthiness of the aircraft.

42.250 Approval of another means of recording time-in-service and utilisation information

The CAMO may apply to CASA for approval of another means, besides that of the flight technical log, for recording total time-in-service of the aircraft and other information about the utilisation of the aircraft and aeronautical products for each flight for the aircraft.

CASA needs to be satisfied that the alternate record is at least as reliable a means of recording the information as the use of the flight technical log for the approval to be granted.

42.255 Recording utilisation information mentioned in CASR 42.190 for each flight by approved other means

If the CAMO has an approval for another means, besides the flight technical log, for recording utilisation information for a flight then the CAMO must record the utilisation information for the flight in accordance with the approval.

42.260 Requirements for retention of continuing airworthiness records and substantiating documents

The CAMO must retain the information and documents mentioned in the following table for the period stated.

Record About	Retention End Date
Engine and propellers, empty weight, utilisation, AD compliance, maintenance program compliance, modifications, aeronautical products with a life limit	The date the information is superseded
Maintenance	1 year after the creation of the document
CRS	1 year post certification or until the CRS is superseded
Flight Technical Log	1 year after the creation of the document

42.265 Transfer of continuing airworthiness records for aircraft

The regulation applies if the responsibility for continuing airworthiness for an aircraft transfers between CAMOs. Within 30 days after the transfer the CAMO transferring the responsibility must ensure that any information that is required is recorded and must give the records to the new CAMO.

42.270 Reporting major defects

If the CAMO becomes aware of a major defect on the aircraft, it must, within two days after becoming aware of the defect notify CASA and:

- Notify the type certificate holder or foreign type certificate holder for the aircraft;
- If the defect relates to a modification made to the aircraft that is covered by a supplemental type certificate for the aircraft, notify the supplemental type certificate holder or foreign supplemental type certificate holder for the aircraft; or
- If the defect relates to a modification or replacement part, produced in accordance with an Australian Parts Manufacturer Approval (APMA), notify the holder of the APMA.

A defect report must be made by the CAMO in writing with the information required by the approved form.

42.275 Investigating major defects — large aircraft and aircraft authorised to operate under an AOC

If the CAMO becomes aware of a major defect in the aircraft it is to investigate and provide a report of the findings to CASA within 14 days after the completion of the investigation.

42.280 Action by CASA following report of major defect

If CASA receives a report about a major defect, CASA may ask the CAMO who made the report to give CASA further information in relation to the major defect within a period specified or to keep the aircraft, or the part of the aircraft that is defective, in a state that will allow CASA to investigate the defect.

42.285 Action by certificate holder or approval holder following report of major defect

If a type certificate holder, foreign type certificate holder, supplemental type certificate, foreign supplemental type certificate holder or holder of the APMA (as applicable) receives a report about a major defect, they may request from the CAMO further information in relation to the major defect. The CAMO must comply with the request. Such a request needs to be in writing, and specify the period (at least 14 days from the date of the request) within which the further information must be provided.

SUBPART 42.D MAINTENANCE

42.290 Purpose of the Subpart

The Subpart sets out:

- Who is permitted to carry out maintenance;
- The maintenance standards applying to an approved maintenance organisation (AMO) or independent maintainer when carrying out maintenance on an aircraft or an aeronautical product;
- The requirements for critical control system maintenance;
- Requirements for dealing with defects; and
- Requirements for making and keeping records for an AMO which carries out maintenance on an aircraft or aeronautical product.

42.295 Who is permitted to carry out maintenance on aircraft under section 20AB of the Act — approved maintenance organisations

Section 20AB (2) of the Act stipulates that only a person permitted by or under the regulations may carry out maintenance on Australian aircraft and aeronautical products. CASR 42.295 provides that a Part 145 AMO or an individual carrying out maintenance on behalf of a Part 145 organisation, are conditionally permitted to carry out maintenance on an Australian aircraft and aeronautical products.

42.300 Who is permitted to carry out maintenance on aircraft — individuals not working for approved maintenance organisations

Section 20AB (2) of the Act stipulates that only a person permitted by or under the regulations may carry out maintenance on Australian aircraft and aeronautical products. CASR 42.300 provides that individuals such as a licensed aircraft maintenance engineer, pilot or a flight engineer, not working for AMOs, are conditionally permitted to carry out maintenance on aircraft to which CASR Part 42 applies.

42.305 Who is permitted to carry out maintenance on aeronautical products

Section 20AB (2) of the Act stipulates that only a person permitted by or under the regulations may carry out maintenance on Australian aircraft and aeronautical products. This regulation would permit Part 145 maintenance organisations and their employees to carry out maintenance on aeronautical products to which CASR Part 42 applies.

42.310 General requirements for carrying out maintenance

Individuals must carry out maintenance on an aircraft or on an aeronautical product in accordance with current maintenance data for the aircraft or the aeronautical product.

Appropriate facilities must be used while carrying out maintenance. If tools, equipment or materials are mentioned in the maintenance data for carrying out the maintenance then they must be used.

Tools or equipment mentioned in the maintenance data that require calibration, must be calibrated in accordance with Australian or internationally recognised standards.

An AMO must ensure that an individual who carries out maintenance on its behalf complies with the requirements above.

42.315 Ensuring individuals are competent to carry out maintenance

An AMO must ensure that a competent individual carries out maintenance on an aircraft or aeronautical product on behalf of the organisation. If the individual is supervised while carrying out the maintenance the person who supervises needs to be competent to carry out the maintenance.

An individual is taken to be *competent* to carry out maintenance on an aircraft or aeronautical product if he or she is able to carry out the maintenance to the standard required by the maintenance data for the aircraft or aeronautical product.

42.320 Restriction on maintenance that independent maintainers may instruct or permit supervised individuals to carry out

An independent maintainer is prohibited from supervising maintenance that they are not permitted to carry out.

42.325 Requirements involving modifications and certain repairs

If an individual makes a modification or a repair to the aircraft or aeronautical product that involves a change to the design for the aircraft or aeronautical product, the individual must do so in accordance with the CASR Part 21 approval for the design for the modification or the change involved in the repair.

An AMO must ensure that an individual who carries out maintenance on its behalf complies with the requirement above.

42.330 Removal of tools etc after carrying out maintenance

If an individual carries out maintenance on an aircraft or aeronautical product, the individual must remove from the aircraft or aeronautical product any tools, equipment or other things extraneous to the aircraft or the aeronautical product, before a CRS is issued for the maintenance.

An AMO must ensure that an individual who carries out maintenance on its behalf complies with the requirement above.

DIVISION 42.D.5 REQUIREMENTS FOR INDEPENDENT INSPECTION OF CRITICAL CONTROL SYSTEM MAINTENANCE

42.335 Meaning of independent individual

An *independent individual*, for critical control system maintenance carried out on an aircraft, means an individual who did not carry out the maintenance; did not perform maintenance certification for the maintenance; and is a certifying employee of that organisation authorised to perform maintenance certification: for the maintenance; or for similar maintenance carried out on another aircraft that has an aircraft control system of similar technology and construction.

42.340 Requirement for verification and record for critical control system maintenance

If an individual carries out critical control system maintenance on an aircraft on behalf of an AMO, the organisation must ensure that an independent individual has inspected the part of the aircraft's aircraft control system on which the maintenance was carried out and made the appropriate record for the maintenance before a CRS is issued for the inspection.

42.345 Verification and record for critical control system maintenance

An independent individual may record the information about the critical control system only if their inspection has confirmed that the part of the aircraft control system on which the maintenance was carried out is correctly assembled and configured and they are satisfied that the aircraft control system is functioning correctly.

The information that needs to be recorded is that:

- the individual has inspected the part of the aircraft's aircraft control system on which the maintenance was carried out;
- they are satisfied that the part of the aircraft control system on which the maintenance was carried out is correctly assembled and configured;
- they are satisfied that the aircraft control system is functioning correctly;
- a description of the critical control system maintenance is included;
- the individual's name, signature and licence or certification authorisation number is recorded; and
- the date of the inspection is recorded.

DIVISION 42.D.6 REQUIREMENTS FOR DEALING WITH DEFECTS

SUBDIVISION 42.D.6.1 DEALING WITH DEFECTS

42.350 Meaning of qualified individual

A *qualified individual*, for a defect on an aircraft, is a certifying employee of an AMO who is authorised to perform maintenance certification for maintenance that would be necessary to rectify the defect.

42.355 Recording defects

An individual who is carrying out maintenance on an aircraft must record, in the continuing airworthiness records system for the aircraft, any defect in the aircraft that they become aware of. The individual is required to record the defect before a CRS is issued for the aircraft.

42.360 When qualified individual may defer rectification of defect

A qualified individual is permitted to defer the rectification of a defect for a flight if:

- the defect does not adversely affect the airworthiness of the aircraft;
- the operation of the aircraft for the flight with the defect is permitted by any of the following:
 - the instructions for continuing airworthiness for the aircraft;
 - the minimum equipment list for the aircraft;
 - the configuration deviation list for the aircraft; and
 - an AD;
- The defect consists of, or is caused by, damage to the aircraft that is approved as a permissible unserviceability under CASR 21.007; or
- The defect is in an item of operational or emergency equipment that is not required by the certification basis for the aircraft and by or under the regulations for the flight.

42.365 How rectification of defect is deferred

When deferring rectification of a defect the individual is required to make a record of the defect, sign the record and insert their aircraft engineer licence number or certification authorisation number in the record.

42.370 Record for deferral of rectification of defect

The person required to make the record of deferral of rectification of defect in the continuing airworthiness records system for the aircraft or in certain cases in the flight technical log for the aircraft, needs to include in the record:

- a description of the defect;
- the justification for the deferral; and
- any limitations or conditions that apply to the operation of the aircraft with the defect.

SUBDIVISION 42.D.6.2 REPORTING DEFECTS

42.375 Major defect reporting — independent maintainer carrying out maintenance on aircraft

If an independent maintainer is carrying out maintenance on an aircraft and the independent maintainer becomes aware of a major defect on the aircraft; the independent maintainer must report the defect to the person responsible for continuing airworthiness for the aircraft.

42.380 Major defect reporting — approved maintenance organisation carrying out maintenance on aircraft

If an AMO is carrying out maintenance on an aircraft and the organisation becomes aware of a major defect on the aircraft; the organisation must report the defect to the person responsible for continuing airworthiness for the aircraft.

42.385 Major defect reporting — approved maintenance organisation carrying out maintenance on aeronautical product

If an AMO is carrying out maintenance on an aeronautical product; and the organisation becomes aware of a major defect on the aeronautical product; the organisation must report the defect to CASA.

42.390 Reporting requirements for a major defect

A person who is required to make a major defect report must make the report in the approved form and include in the report the information required by the approved form. The report must be made within two days after the person becomes aware of the major defect to which the report relates.

DIVISION 42.D.7 REQUIREMENTS FOR RECORDING MAINTENANCE FOR AIRCRAFT OR AERONAUTICAL PRODUCTS

42.395 Recording maintenance information for aircraft

If an individual carries out maintenance on an aircraft, the following information about the maintenance (the *maintenance record*) must be recorded before a CRS is issued for the maintenance:

- (a) information that identifies the aircraft, including the type, model, registration mark and serial number for the aircraft;
- (b) the date on which the maintenance was completed;
- (c) a description of the maintenance;
- (d) a reference to the maintenance data for the maintenance;
- (e) if an aeronautical product was removed from the aircraft when the maintenance was carried out a description of the product including the part and serial number for the product (if any); and
- (f) if a replacement aeronautical product was fitted to the aircraft when the maintenance was carried out:
 - (i) a description of the product, including the part number for the product;
 - (ii) the serial number for the product (if any); and
 - (iii) if the product is a standard part, the manufacturer's batch number for the part, or information that enables the identification of the manufacturer's batch number for the part.

If the part is not a standard part, the information required is:

- (a) the number of the most recent ARC for the product, or a number that enables the identification of the most recent ARC for the product; or
- (b) if an in-house release document has been issued for in-house maintenance carried out on the product information that enables the identification of the most recent in-house release document for the product.

If the part is not accompanied by an ARC and has been fitted to a grounded aircraft then further information is required. The document from the organisation must confirm that the part is eligible to be fitted to the aircraft, confirm the part is serviceable; identify the organisation and provide National Airworthiness Authority (NAA) details. If the part has been fabricated then the information required includes a statement that the product is a product fabricated by an AMO and information that enables the identification of the fabrication record for the part.

42.400 Making maintenance record for aeronautical product

If an individual carries out maintenance on an aeronautical product on behalf of an AMO, the organisation must ensure that identification information (part number and serial number [if present]), date and a description of the maintenance are recorded, before a CRS is issued.

If an aeronautical product has subassemblies/parts which are removed or replaced to carry out the maintenance then a description of the subassembly/part, including part and serial number [if any] must also be recorded.

If the aeronautical product being removed/replaced is a standard part the manufacturer's batch number for the part or information that enables the identification of the manufacturer's batch number for the part must be recorded.

If the aeronautical product being removed/replaced is not a standard part and an ARC has been issued for the product, the number of the most recent ARC for the product or a number that enables the identification of the most recent ARC for the product must be recorded.

If the aeronautical product being removed/replaced is not a standard part and an in-house release document has been issued for in-house maintenance carried out on the product being removed/replaced then information that enables the identification of the most recent in-house release document for the product needs to be recorded.

If the aeronautical product being removed/replaced is not accompanied by an ARC and has been fitted to a grounded aircraft then further information is required to be recorded. That information includes:

- organisational confirmation that the part is eligible to be fitted to the aircraft,
- confirmation that the part is serviceable;
- identity of the organisation; and
- the NAA details.

42.405 Provision of maintenance record and other documents to registered operator

If the maintenance is carried out by an AMO, the organisation must ensure that the following documents are given to the person responsible for continuing airworthiness for the aircraft within 30 days after a CRS is issued for the maintenance:

- (a) the maintenance record for the maintenance;
- (b) the ARC for any replacement aeronautical product fitted to the aircraft when the maintenance was carried out; and
- (c) a document identifying the unique design data for modifications and repairs incorporated into the aircraft, if any.

42.410 Retention of copy of maintenance record by approved maintenance organisation

If a maintenance record is made for maintenance carried out on an aircraft or aeronautical product by an AMO, the organisation must keep a copy of the record for 24 months beginning on the date when the CRS is issued for the maintenance.

SUBPART 42.E AERONAUTICAL PRODUCTS

42.420 Fitting parts other than standard parts

If an individual is carrying out maintenance on an aircraft or aeronautical product, the individual must not fit a part that is not a standard part to the aircraft or aeronautical product unless:

- (a) one of the following applies in respect of the part:
 - (i) an ARC has been issued for the part;
 - (ii) an in-house release document has been issued for in-house maintenance carried out on the part;
 - (iii) the fitting of the part is permitted under the cannibalisation regulations;
 - (iv) the fitting of the fabricated part is permitted; or
 - (v) the fitting of the part is permitted under the grounded aircraft regulations;
- (b) the part is eligible to be fitted to the aircraft or the aeronautical product;
- (c) the part appears to be in a satisfactory condition; and
- (d) if the manufacturer of the part has specified a storage life for the part — the storage life for the part has not expired.

An AMO must ensure that an individual who carries out maintenance on its behalf complies with the provisions above.

42.430 Permission for fitting a serviceable part (within the same aircraft or to another aircraft)

A serviceable part may be transposed within the same aircraft or fitted to another aircraft if no maintenance is carried out on the part after its removal from the aircraft.

42.435 Permission for fitting a fabricated part

The fitting of a fabricated part to an aircraft is permitted only if the part has been fabricated by an AMO carrying out maintenance on the aircraft. The fabricated part needs to be accompanied by the fabrication record for the part.

42.440 Permission for fitting a part to a grounded aircraft – part not accompanied by an authorised release certificate

The fitting of a part not accompanied by an ARC is permitted when an aircraft is grounded for maintenance. The grounding must be at an aircraft maintenance facility other than the organisation's main line maintenance facility or main base maintenance facility.

The part may be sourced from the other organisation only if the RO does not have their own part at the facility and the RO of the aircraft agrees:

- (a) to the fitting of the part to the aircraft; and
- (b) to the removal of the part from the aircraft within 36 flight hours after it is fitted if the person responsible for continuing airworthiness for the aircraft has not obtained an ARC for the part in that time.

An entry must be made in the aircraft's flight technical log within 36 flight hours after it is fitted and:

- (a) the person responsible for continuing airworthiness for the aircraft must obtain an ARC for the part; or
- (b) the part must be removed.

The part needs to be accompanied by a document from the other organisation that:

- (a) confirms that the part is eligible to be fitted to the aircraft;
- (b) states that the part is serviceable;
- (c) identifies the organisation; and
- (d) includes details of the NAA under whose authority the document was issued.

42.445 Fitting standard parts

An individual who is carrying out maintenance on an aircraft or aeronautical product must not fit a standard part to the aircraft or aeronautical product unless the standard part is accompanied by evidence that identifies:

- (a) the specification that applies to the part;
- (b) the supplier of the standard part;
- (c) the manufacturer of the standard part; and
- (d) the manufacturer's batch number for the standard part, or evidence that includes information that enables the identification of the manufacturer's batch number for the standard part.

The standard part needs to be accompanied by evidence that it conforms to the specification, is eligible to be fitted to the aircraft or the aeronautical product and appears to be in a satisfactory condition. An AMO must ensure that an individual who carries out maintenance on its behalf complies with these requirements above.

42.455 Using materials

An individual who is carrying out maintenance must not use material in an aircraft or aeronautical product unless the material is accompanied by evidence that identifies the:

- (a) specification that applies to the material;
- (b) supplier of the material;
- (c) manufacturer of the material; and
- (d) manufacturer's batch number for the material, or includes information that enables the identification of the manufacturer's batch number for the material.

The material needs to be accompanied by evidence it conforms to the specification, is eligible to be used in the aircraft or the aeronautical product and appears to be in a satisfactory condition. Also, if the material has a storage life (set by the manufacturer of the material) then that must not have expired.

DIVISION 42.E.3 REQUIREMENTS FOR CONTROLLING UNSERVICEABLE AND UNSALVAGEABLE PARTS

42.460 Control of unserviceable parts

An AMO or independent maintainer who knows that a part (not fitted to an aircraft) is unserviceable must, within 2 days, apply a label or attach a tag to the part, recording the following:

- (a) sufficient information to identify the part, including the name, part number and serial number of the part (if any);
- (b) that the part is unserviceable;
- (c) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed, if relevant; and
- (d) the reason that the part is unserviceable.

If the part is kept, it must be stored separately from serviceable aeronautical products.

42.465 Control of unsalvageable parts

An AMO or independent maintainer who knows that a part (not fitted to an aircraft) is unsalvageable must, within two days, apply a label, or attach a tag, to the part recording the following:

- (a) sufficient information to identify the part, including the name and part and serial number of the part (if any);
- (b) that the part is unsalvageable;
- (c) the origin of the part, including any available information about the aircraft or aeronautical product from which the part has been removed; and
- (d) the reason that the part is unsalvageable.

The part must be:

- (a) stored separately from serviceable aeronautical products and in a secure location; or
- (b) mutilated in a manner that ensures that the part cannot be used in aviation.

If the AMO is not the owner of the part it may give the part to its owner. The owner must, within three days of receiving the part, store the part separately from serviceable aeronautical products and in a secure location or mutilated in a manner that ensures that the part cannot be used in aviation.

DIVISION 42.E.4 REQUIREMENTS FOR CONTROLLING UNAPPROVED PARTS

42.470 Meaning of unapproved for parts

A part is *unapproved* if any of the following applies to the part:

- the part is counterfeit;
- the part has not been approved in a manner mentioned CASR Part 21;
- the part has been produced other than under an authorisation granted by CASA or a NAA;
- maintenance has been carried out on the part other than in accordance with an authorisation granted by CASA or a NAA;
- the part has been modified other than in accordance with a design for which there is a CASR Part 21 approval;
- the part is unserviceable or unsalvageable and has been fraudulently represented as serviceable; or
- the part is accompanied by a fraudulent document.

42.475 Control of unapproved parts

A person who becomes aware of an unapproved part must ensure the unapproved part is labelled or tagged as unapproved with the following information included in the label or tag:

- identification of the part, including the part's name, part number and serial number (if any);
- the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed; and
- the reason that the part is unapproved.

The unapproved part must be kept separately from the serviceable parts and a report about the unapproved part made in accordance with CASR 42.480.

42.480 Reporting unapproved parts

A person who becomes aware of an unapproved part must report about the part to CASA and if applicable to the type certificate holder or foreign type certificate holder for the aircraft or aeronautical product; and the person responsible for continuing airworthiness for the aircraft. The report must be made in the approved form.

42.485 Action by CASA following report of unapproved parts

CASA may request further information in relation to the unapproved part or tell the person who made the report that the part does not have to be kept.

42.490 Action required if part not required to be kept

A person told by CASA that an unapproved part is not required to be kept may:

- if they are not the owner of the part, give the part to the owner; or
- store the part, and any documents that accompanied the part, separately from serviceable aeronautical products and in a secure location; or
- mutilate the part, or arrange for the part to be mutilated, in a manner that ensures that the part cannot be used in aviation.

An owner of an unapproved part is required to:

- store the part separately from serviceable aeronautical products and in a secure location; or
- mutilate the part, or arrange for the part to be mutilated, in a manner that ensures that the part cannot be used in aviation.

SUBPART 42.G CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATIONS

DIVISION 42.G.1 GENERAL

42.570 Purpose of the Subpart

CASA has adopted a system for continuing airworthiness management similar to that used by the European Aviation Safety Agency (EASA). One of the requirements of the system is that the continuing airworthiness of all large aircraft and all aircraft that operate under an AOC must be managed by a CAMO.

The Subpart sets out matters relating to CAMOs, including:

- (a) requirements for approval as a CAMO; and
- (b) requirements that apply to CAMOs.

These requirements are explained in Chapter 1 of the Part 42 MOS.

42.580 CASRs 11.070 to 11.075 do not apply in relation to certain matters

A general requirement of an authorisation issued by CASA is that the holder of the authorisation must notify CASA of any matters that affect the authorisation. Such a notification is not required for significant changes approved by CASA, for insignificant changes and changes made in response to a direction by CASA.

DIVISION 42.G.2 APPROVAL OF CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATIONS

42.585 Applying for approval

A CAMO's exposition is the primary document used when assessing the CAMO approval. The exposition sets out all aspects of the CAMO, including; the CAMO structure, the services that the CAMO may provide, and the procedures that the CAMO must follow to provide those services.

The exposition may refer to other documents and manuals of the CAMO in order to prevent the exposition from becoming unmanageably large. If this is done, however, then the other documents and manuals become subject to the same requirements and controls as the exposition, e.g. CASA approval and change management. The required CAMO manager positions and the qualifications, knowledge and experience requirements for the positions are set out in the Part 42 MOS.

An example of the CAMO exposition is available on the CASA website.

An application must be in the approved form and include all the required information.

42.600 Privileges for continuing airworthiness management organisations

A CAMO may only provide the continuing airworthiness management services that CASA approves it to provide. The services that a CAMO is approved to provide are those set out in the CAMO's exposition and the CAMO approval certificate issued by CASA.

42.610 Application for approval of significant changes to continuing airworthiness management organisations

The changes that are significant changes are defined in the CASR 42.575 definitions.

An application must be in the approved form and include all the required information.

42.620 Changes to continuing airworthiness management organisations that are not significant changes

A CAMO may make minor changes to the organisation without prior approval from CASA. A minor change is any change that is not a significant change. The changes that are significant changes are defined in the CASR 42.575 definitions.

The CAMO's exposition must include a procedure for making changes to the organisation that are not significant changes in accordance with the requirements of this regulation.

DIVISION 42.G.4 AUTHORISATION OF PILOT LICENCE HOLDERS AND FLIGHT ENGINEERS TO PROVIDE MAINTENANCE SERVICES

42.630 When pilot licence holders and flight engineers may be authorised

A CAMO may issue an authorisation to provide specified maintenance services, for the specified type and model of aircraft it manages, to a pilot licence holder or a flight engineer.

If a CAMO is seeking an approval to authorise pilot licence holders and flight engineers to carry out maintenance then the CAMO's exposition must include a procedure for doing so in accordance with the requirements of this division and CASR 42.300. The CAMO procedures must be sufficient to allow the competency of the authorised pilot licence holders and flight engineers to be demonstrated with respect to the maintenance that is covered by the authorisation.

DIVISION 42.G.5 REQUIREMENTS AND OFFENCES FOR CAMOS

42.650 Provision of continuing airworthiness management services

If a CAMO wants to vary the way it provides services or seeks approval to provide an additional service, then it must obtain approval for the variation, under: CASR 42.610, if it is a significant change (CASA approval); or CASR 42.620, if it is not a significant change (CAMO approval).

If a CAMO is to provide a service that it is not approved to provide, then it must submit a significant change application to CASA under CASR 42.610.

SUBPART 42.H MAINTENANCE CERTIFICATION AND CRS

DIVISION 42.H.1 GENERAL

42.680 Purpose of the Subpart

The Subpart sets out requirements, when maintenance has been carried out, for the performance of maintenance certification and the issue of CRS.

DIVISION 42.H.2 MAINTENANCE CERTIFICATION FOR MAINTENANCE CARRIED OUT ON AIRCRAFT

The regulations provide for a two-tier system of certification for completion of maintenance on aircraft or aeronautical products that supersedes the previous system that was required under the CAR. The two elements of the system are:

Maintenance certification, which must be performed after completion of a maintenance task on an aircraft (maintenance certification is not required for maintenance on aeronautical products). Maintenance certification supersedes the CAR 42ZE and 42ZN "certification of completion of maintenance" and "stage of maintenance" certifications; and

Certificate of Release to Service (CRS), which must be issued before an aircraft or an aeronautical product may be released to service after maintenance. The CRS supersedes the CAR 43 Maintenance Release and effectively combines the “certification of co-ordination” and “final certifications”.

SUBDIVISION 42.H.2.1 APPLICATION OF DIVISION

42.685 Application of the Division

The Division applies if an individual carries out maintenance on an aircraft.

SUBDIVISION 42.H.2.2 WHO MUST PERFORM MAINTENANCE CERTIFICATION

42.690 Approved Maintenance Organisation

If maintenance is carried out by an individual on behalf of an AMO, the organisation must ensure that maintenance certifications for the maintenance are provided by certifying employees whose certification authorisation permits him or her to perform maintenance certification for the maintenance.

A certifying employee of an organisation must meet certain qualifications, knowledge and experience requirements and be authorised in writing by the organisation for the particular type of maintenance. The requirements for authorisation of a certifying employee are set out in the Part 42 and Part 145 MOSs.

All maintenance on an aircraft requires two forms of certification before the aircraft may be operated, i.e. maintenance certification and a CRS with the maintenance certification being performed prior to the CRS being issued.

42.695 Individual performing maintenance certification on behalf of approved maintenance organisations

An individual must not perform maintenance certification on behalf of an AMO for the maintenance unless he or she is a certifying employee of the organisation whose certification authorisation permits him or her to perform maintenance certifications.

42.700 Independent maintainers

An independent maintainer, who has carried out or supervised carrying out of maintenance, must perform the maintenance certification for that maintenance. The maintenance certification must be performed before a CRS is issued for the aircraft.

Maintenance certification may only be performed by an appropriately authorised person.

An independent maintainer means an individual mentioned in item 1, 3, 4 or 5 of table 42.300.

SUBDIVISION 42.H.2.3 REQUIREMENTS FOR PERFORMING MAINTENANCE CERTIFICATION

42.705 Requirements to be met by individual before performing maintenance certification

An individual must not perform maintenance certification for the maintenance unless he or she has ensured that:

- (a) the maintenance has been carried out in accordance with the regulations, and
- (b) the maintenance record for the maintenance is correct.

The maintenance certification must include a record of their certification authorisation number.

42.710 Requirements to be met by organisation before performing maintenance certification

An AMO must ensure that an individual who performs maintenance certification on its behalf complies with the CASR 42.705 requirements.

SUBDIVISION 42.H.2.4 PERFORMING OF MAINTENANCE CERTIFICATION

42.715 How maintenance certification is performed

If an individual performs maintenance certification for the maintenance, the individual must perform the maintenance certification by recording, in the maintenance record for the maintenance:

- (a) his or her signature; and
- (b) the date of the maintenance certification.

An AMO must ensure that an individual who performs a maintenance certification on its behalf complies with those maintenance certification performance requirements.

DIVISION 42.H.3 CERTIFICATE OF RELEASE TO SERVICE FOR AIRCRAFT

SUBDIVISION 42.H.3.1 PRELIMINARY

42.720 Application of the Division

The Division applies if an individual carries out maintenance on an aircraft.

42.725 Requirement not to release aircraft without certificate of release to service

AMOs and independent maintainers must issue a CRS for an aircraft before they release the aircraft to another person.

SUBDIVISION 42.H.3.2 WHO MAY ISSUE CRS

42.730 Approved maintenance organisations

An AMO may issue a CRS for an aircraft, if maintenance is carried out on the aircraft on their behalf. The certificate issued on their behalf must be provided by an individual who is a certifying employee of the organisation and whose certification authorisation permits him to issue the certificate.

42.735 Individuals issuing certificates of release to service on behalf of approved maintenance organisations

An individual is prohibited from issuing a CRS on behalf of an AMO unless they are a certifying employee of the organisation and their certification authorisation permits them to issue the certificate.

42.740 Independent maintainers

Independent maintainers are permitted to issue a CRS for an aircraft when they have carried out maintenance or supervised carrying out of maintenance.

SUBDIVISION 42.H.3.3 REQUIREMENTS FOR ISSUING CRS

42.745 Requirements to be met before CRS may be issued

Requirements that must be met for the issue of a certificate of release are that:

- the certificate complies with CASR 42.760;
- the information in the certificate is correct;
- maintenance certification has been performed for the maintenance carried out;
- for critical control system maintenance, the verification information about data and correct function (CASR 42.345), critical control system identification detail, verifier details and date (subregulation 42.345(3)) have been recorded in the continuing airworthiness records system for the aircraft;
- in respect to the maintenance carried out, the aircraft is airworthy;
- for an unrectified defect that has not been deferred, the certificate includes details of the defect and the person responsible for the continuing airworthiness of the aircraft has been notified of the defect; and
- for maintenance that has been requested but has not been carried out, the certificate includes details of the maintenance and the person responsible for the continuing airworthiness has been notified of the incomplete maintenance .

42.750 Requirements to be met by an approved maintenance organisation before issuing a CRS

An AMO must ensure that an individual does not issue a CRS on its behalf for the maintenance unless the CASR 42.745 requirements are met.

42.755 Requirements to be met by individual before issuing CRS

An individual must not issue a CRS for the maintenance unless the CASR 42.745 requirements are met.

SUBDIVISION 42.H.3.4 CONTENT AND ISSUE OF CRS

42.760 Form and content of CRS

A CRS for the maintenance must include:

- (a) information identifying the certificate as a CRS;
- (b) information identifying the aircraft, including its type and model, registration mark and serial number;
- (c) the AMOs approval certificate reference number; and
- (d) the certification authorisation number of the employee issuing the certificate.

If the maintenance was carried out by a pilot or flight engineer the CRS must include the pilot or flight engineers licence holder's name and licence.

The certificate must be included in the flight technical log for the aircraft on which the maintenance was carried out.

42.765 How certificate of release to service is issued

An individual who issues a certificate of release for an aircraft must sign the certificate and record the date and time of issue.

SUBDIVISION 42.H.3.5 RECORD-KEEPING

42.770 Retaining copy of certificate of release to service

If a CRS is issued on behalf of an AMO, the organisation must ensure that a copy of the certificate is retained for one year beginning on the date the certificate is issued.

DIVISION 42.H.4 CRS — AERONAUTICAL PRODUCTS

SUBDIVISION 42.H.4.1 PRELIMINARY

42.775 Application of Division

The Division applies if an individual carries out maintenance on an aeronautical product on behalf of an AMO.

42.780 Requirement not to release aircraft without certificate of release to service

The requirements for the issue of a CRS are:

- (a) that the certificate is in approved form;
- (b) the information entered into the certificate for the maintenance is correct;
- (c) the maintenance is complete;
- (d) the maintenance was carried out in accordance with the regulations and that the individual issuing the certificate is satisfied that,
- (e) in respect of the maintenance carried out; and
- (f) the aeronautical product is serviceable.

SUBDIVISION 42.H.4.2 WHO MAY ISSUE CERTIFICATE OF RELEASE TO SERVICE

42.785 Approved maintenance organisations

An AMO may issue a CRS for an aeronautical product if another organisation has carried out maintenance on the product. The AMO must have first ensured that the certificate is issued on their behalf by an individual who is a certifying employee of the organisation whose certification authorisation permits the issue of the certificate. A CRS may only be issued on behalf of an organisation by an appropriately authorised certifying employee of that organisation. The requirements for authorisation of a certifying employee are set out in the Part 42 and Part 145 MOSs.

42.790 Individuals issuing certificates of release to service on behalf of approved maintenance organisations

An individual is prohibited from issuing a CRS on behalf of an AMO for an aeronautical product unless the individual is a certifying employee of the organisation whose certification authorisation permits them to issue the certificate.

SUBDIVISION 42.H.4.3 REQUIREMENTS FOR ISSUING CERTIFICATE OF RELEASE TO SERVICE

42.795 Requirements to be met before certificate of release to service may be issued

The requirements that must be met for the issue of a CRS for an aeronautical product are that the:

- information entered on the certificate is correct;
- maintenance is complete;
- maintenance is carried out in accordance with CASR Part 42 and 145, as applicable; and
- product is serviceable.

42.800 Requirements to be met by approved maintenance organisation before issuing certificate of release to service

An AMO must ensure that an individual does not issue a CRS for an aeronautical product on its behalf unless the requirements of CASR 42.795 are met.

42.805 Requirements to be met by individuals before issuing certificate of release to service

An individual is prohibited from issuing a CRS for an aeronautical product unless the requirements of CASR 42.795 are met.

SUBDIVISION 42.H.4.4 FORM AND ISSUE OF CERTIFICATE OF RELEASE TO SERVICE

42.810 Form and content of CRS

Maintenance that is not in-house maintenance

If maintenance is carried out on an aeronautical product and the maintenance is not in-house maintenance, the CRS must be in the approved form and include information required by the approved form.

In-house maintenance

If in-house maintenance is carried out on an aeronautical product, the CRS must be in the form and include information required by the form approved for the organisation.

A CRS for an aeronautical product is to be made by completing a CASA Form 1 except for those circumstances in which a Part 145 AMO is authorised to use an in-house release. If the CASA Form 1 is used, it is to be completed in accordance with the instructions set out in the Part 42 MOS. If an in-house release is used, it must be in the approved form and used in the manner approved by CASA.

42.815 How certificate of release to service is issued

An individual who issues a CRS on behalf of an AMO for an aeronautical product must sign the certificate and record the date and time of issue on the certificate.

SUBDIVISION 42.H.4.5 RECORD-KEEPING AND DEALING WITH CERTIFICATE OF RELEASE TO SERVICE

42.820 Additional record for certificate of release to service issued as in-house release document

If a CRS for an aeronautical product is issued in the form of an in-house release document by a CASR Part 145 maintenance organisation, the organisation must ensure that a record is made that contains the information that would have been recorded in the approved form and retain the record for two years after the product is fitted to an aircraft or another aeronautical product.

42.825 Dealing with certificate of release to service

An AMO that issues a CRS for an aeronautical product must give the certificate to the person to whom the product is released for use and to retain a copy for two years after issue.

SUBPART 42.I AIRWORTHINESS REVIEWS AND AIRWORTHINESS REVIEW CERTIFICATES

DIVISION 42.I.1 GENERAL

CASA has adopted a system for continuing airworthiness management similar to that used by EASA. One of the requirements of the system is that all large aircraft and all aircraft that operate under an AOC must have an airworthiness review certificate.

The basis of the airworthiness review certificate is a periodic airworthiness review. This Subpart sets out the regulatory requirements for airworthiness reviews and airworthiness review certificates.

42.830 & 42.835 Application and Purpose of the Subpart

Subpart 42.I sets out requirements in relation to airworthiness review certificates and airworthiness reviews for aircraft employed in CAR 206 (1) (c) RPT. It also provides details of the relationship between an airworthiness review certificate and a certificate of airworthiness.

The CAMO must develop an airworthiness review procedure that covers all the requirements of the regulations. The airworthiness review procedure would normally be included in the CAMO exposition.

An airworthiness review certificate may not be issued unless an airworthiness review has been carried out and recorded. An aircraft that is subject to these regulations may not operate without a valid airworthiness review certificate.

DIVISION 42.I.2 AIRWORTHINESS REVIEW CERTIFICATES

42.840 Who may issue airworthiness review certificate

A CAMO may issue an airworthiness review certificate for the aircraft if:

- (a) an airworthiness review employee of the organisation has carried out an airworthiness review for the aircraft;
- (b) a record of the review has been made;
- (c) the employee is satisfied that the airworthiness review procedure requirements for the aircraft has been followed; and
- (d) any corrective action recommended as a result of the findings of the airworthiness review has been taken.

The CAMO airworthiness review procedure must include procedures for selecting and authorising airworthiness review employees. An airworthiness review employee is an individual who is authorised by a CAMO in accordance with the Part 42 MOS. The qualifications, knowledge and experience requirements for an airworthiness review employee are set out in the Part 42 MOS.

42.845 Requirements to be met for issue of airworthiness review certificate

The requirements that must be met for the issue of an airworthiness review certificate are that:

- the information entered into the certificate is correct;
- an airworthiness review employee of the CAMO carried out the review in accordance with airworthiness review procedure;
- a record of the findings of the review has been made;
- necessary corrective action has been taken to meet the requirements of the airworthiness review procedure;
- a record of the actions in meeting the requirements for issue of an airworthiness review certificate has been made; and

- the aircraft is airworthy.

If any deficiencies are found by the airworthiness review then they must be corrected before the airworthiness review certificate may be issued.

Furthermore, the CAMO airworthiness review procedure must include procedures for recording the findings of the review (including a statement as to whether the requirements have been met) and the corrective actions associated with any adverse findings.

The airworthiness review is the procedure that must be carried out by the CAMO to determine the airworthiness of the aircraft. The airworthiness review certificate is the statement by the CAMO that an aircraft is airworthy. The airworthiness review certificate may not be issued unless the aircraft is airworthy at the time the certificate is to be issued.

42.850 Requirements to be met by continuing airworthiness management organisation before issuing airworthiness review certificate

A CAMO must ensure that an individual does not issue an airworthiness review certificate on its behalf unless the airworthiness review certificate requirements (CASR 42.845) are met.

42.855 Requirements to be met by individual before issuing airworthiness review certificate

An individual is prohibited from issuing an airworthiness review certificate unless the airworthiness review certificate requirements (CASR 42.845) are met.

42.860 Form of airworthiness review certificate

The certificate must be in the approved form.

42.865 How airworthiness review certificate is issued

An individual who issues an airworthiness review certificate must sign the certificate and record the date of issue and date of expiry on the certificate.

42.870 How long airworthiness review certificate remains in force

An airworthiness review certificate remains in force for one year from the date of issue, and if its time is extended under Division 42.I.3, until the end of the time for which it is extended.

DIVISION 42.I.3 EXTENSION OF AIRWORTHINESS REVIEW CERTIFICATES

42.875 Who may extend airworthiness review certificate

A CAMO for an aircraft is permitted to extend the time for which an airworthiness review certificate is in force, if the organisation issued the certificate and has been the CAMO for the aircraft since the date of issue of the certificate.

The certificate can be extended by an airworthiness review employee of the organisation whose authorisation as an airworthiness review employee permits them to issue the certificate.

If a different CAMO takes over responsibility for the aircraft then the new CAMO must carry out a full airworthiness review and issue a new airworthiness review certificate – this must be done before the aircraft operates under the new AOC.

42.880 Requirements to be met for extension of airworthiness review certificate

The requirements to be met for extending the time for which an airworthiness review certificate is in force require that the:

- certificate is extended within the period of 90 days before the certificate is due to expire;
- period of extension is not more than 1 year after the certificate is due to expire;
- certificate is not extended more than twice; and
- aircraft is airworthy.

If an airworthiness review certificate is not extended within the timeframe specified, and therefore the certificate expires, then the certificate may not be extended. A full airworthiness review must be carried out and a new airworthiness review certificate must be issued before the aircraft may be operated again.

The CAMO procedure for extending the airworthiness review certificate must include recording requirements so that the basis for extending the airworthiness review certificate can be demonstrated. The records should be kept by the CAMO in accordance with CASR 42.915 (three years minimum).

42.885 Requirements to be met by continuing airworthiness management organisation before extension of airworthiness review certificate

A CAMO is required to ensure that an individual does not extend an airworthiness review certificate on its behalf unless the requirements of CASR 42.880 are met.

42.890 Requirements to be met by individual before extending airworthiness review certificate

An individual is prohibited from extending an airworthiness review certificate unless the requirements of CASR 42.880 are met.

42.895 How airworthiness review certificate is extended

An individual who extends an airworthiness review certificate must sign the certificate and record on the certificate the date of the extension and the next date of expiry.

DIVISION 42.I.4 AIRWORTHINESS REVIEW PROCEDURE

42.900 Airworthiness review procedure

An airworthiness review employee must, on behalf of the CAMO carrying out the review, examine the continuing airworthiness records for the aircraft and decide whether he or she is satisfied that the following requirements are met:

- (a) the details of the utilisation of the airframe, engine and propeller of the aircraft have been recorded correctly;
- (b) maintenance required by the maintenance program for the aircraft has been carried out in accordance with the maintenance program;
- (c) critical control system maintenance recorded in the records has been dealt with in accordance with the regulations;
- (d) defects on the aircraft have been dealt with in accordance with the regulations;
- (e) applicable airworthiness directives have been complied with (aircraft and aeronautical product fitted to the aircraft);
- (f) if a modification has been made to the aircraft — the design for the modification was approved under CASR Part 21;
- (g) for each aeronautical product fitted to the aircraft that has a life limit, the records:
 - (i) correctly identify the aeronautical product; and

- (ii) show that the aeronautical product has not exceeded its life limit at the time the airworthiness review is carried out;
- (h) for all maintenance carried out on the aircraft:
 - (i) maintenance certification have been performed in accordance with the regulations; and
 - (ii) a CRS has been issued;
- (i) the empty weight, and the position of the centre of gravity on the aircraft when the aircraft is in its empty weight configuration, shown in the records is accurate; and
- (j) the aircraft complies with its approved design.

The airworthiness review employee must carry out a survey of the aircraft and decide whether he or she is satisfied that:

- (a) the markings that are required, by the regulations or by the aircraft's approved type design, are on the aircraft and are in the correct position;
- (b) placards that are required by the regulations or by the aircraft's approved design to be fitted to the aircraft are correctly fitted;
- (c) the configuration of the aircraft complies with the aircraft's approved design;
- (d) if the employee becomes aware of a defect on the aircraft while carrying out the survey, the defect is recorded in the continuing airworthiness records system for the aircraft;
- (e) the aircraft's flight manual is up to date and reflects the aircraft's configuration; and
- (f) the condition of the aircraft is consistent with the continuing airworthiness records for the aircraft.

DIVISION 42.I.5 ADMINISTRATION

42.905 Record of findings of airworthiness review

The CAMO must ensure that the airworthiness review employee records in writing the findings of the review.

42.910 Record of corrective action taken

This regulation requires the CAMO to ensure that corrective action taken to ensure compliance with the requirements of the airworthiness review record check and survey is recorded in writing before the organisation issues an airworthiness review certificate for the aircraft.

The CAMO airworthiness review procedures include recording and record keeping requirements so that the basis for issuing the airworthiness review certificate can be demonstrated.

The CAMO airworthiness review procedures include those for recording the findings of the review (including a statement as to whether the requirements have been met), and the corrective actions associated with any adverse findings.

42.915 Record-keeping requirements

If a CAMO issues an airworthiness review certificate for an aircraft following an airworthiness review for the aircraft, the CAMO must retain the record of the review for three years beginning on the date of issue of the certificate.

42.920 Documents to be sent to CASA and registered operator

A CAMO that issues an airworthiness review certificate for an aircraft must give a copy of the certificate to CASA and the RO of the aircraft within 10 days after issuing the certificate. The same requirement applies to the organisation if the organisation extends the time for which the certificate is in force.

42.925 Notice of decision not to issue airworthiness review certificate

A CAMO may decide not to issue or extend an airworthiness review certificate for an aircraft on the basis that the aircraft is not airworthy, or cannot be made airworthy within the required timeframe.

The decision not to issue or extend an airworthiness review certificate does not preclude another airworthiness review being carried out and a new certificate being issued at a later time. The CAMO airworthiness review procedures include those for notification of the decision not to issue or extend the airworthiness review certificate.

DIVISION 42.I.6 RELATIONSHIP OF AIRWORTHINESS REVIEW CERTIFICATE TO CERTIFICATE OF AIRWORTHINESS

42.930 Relationship with certificate of airworthiness

If the certificate of airworthiness for an aircraft stops being in force, or is cancelled, the airworthiness review certificate for the aircraft ceases to be in force, or is cancelled, at the same time, under CASR 21.181 (Duration of Certificates of Airworthiness).

If the certificate of airworthiness for an aircraft is suspended under CASR 21.181, the airworthiness review certificate for the aircraft is suspended for the same period.

If the airworthiness review certificate is suspended under this regulation, and the certificate expires within the duration of the suspension, then a full airworthiness review must be carried out and a new airworthiness review certificate must be issued before the aircraft may be operated again.

SUBPART 42.J APPROVAL OF MAINTENANCE PROGRAMS AND VARIATIONS OF MAINTENANCE PROGRAMS

DIVISION 42.J.1 PRELIMINARY

42.935 Purpose of the Subpart

The Subpart sets out the process and requirements for approval of maintenance programs and variations to maintenance programs.

DIVISION 42.J.2 APPROVAL OF MAINTENANCE PROGRAM BY CAMO

42.940 Circumstances in which continuing airworthiness management organisations may approve proposed maintenance program

A CAMO for an aircraft is permitted to approve a proposed maintenance program if the aircraft is not authorised to operate under an air transport AOC and the organisation's approval under Subpart 42.G permits it to approve the program. The program must be approved on behalf of the organisation by an individual who is a maintenance program approval employee whose authorisation permits the approval.

42.945 Requirements for approval of maintenance programs

The requirements for the approval of a proposed maintenance program by a CAMO require the program to comply with the requirements in the instructions for the continuing airworthiness for the aircraft and for aeronautical products fitted to the aircraft and the requirement specified in the Part 42 MOS.

42.950 Requirements to be met by continuing airworthiness management organisations before approving proposed maintenance programs

A CAMO is prohibited from approving a proposed maintenance program for an aircraft if the requirements of CASR 42.945 are not met.

42.955 Requirements to be met by individuals before approving proposed maintenance programs

An individual is prohibited from approving a proposed maintenance program for an aircraft if the requirements of CASR 42.945 are not met.

42.960 How approval is given

To approve a maintenance program, the individual approving the program must make a record of the approval of the program identity, the approval and CAMO name and certificate number and sign and date the record.

42.965 Record-keeping requirements

The CAMO is required to keep for the period during which the program is in effect:

- a copy of the approved program;
- a copy of the record of the approval; and
- a copy of any other supporting document.

DIVISION 42.J.3 APPROVAL OF MAINTENANCE PROGRAM BY CASA

42.970 Application to CASA for approval of maintenance programs

The person responsible for continuing airworthiness for an aircraft may apply to CASA for approval of the maintenance program for the aircraft. CASA's approval for the program is required if the:

- proposed program does not comply with the instructions for the continuing airworthiness of the aircraft or for aeronautical products fitted to the aircraft;
- CAMO for the aircraft does not have the authority to approve the program; or
- aircraft is authorised to operate under an air transport AOC.

42.975 Form of application

An application to CASA for approval of a proposed maintenance program for an aircraft employed in RPT operations must be in writing and include a copy of the program. If the program does not comply with the regular maintenance requirements in the instructions for continuing airworthiness for the aircraft a technical justification for the non-compliance must be included.

42.980 Approval of maintenance program by CASA

CASA must approve the program if satisfied that the program complies with the requirements specified in the Part 42 MOS and adequately provides for the continuing airworthiness of the aircraft.

DIVISION 42.J.4 APPROVAL OF VARIATIONS OF APPROVED MAINTENANCE PROGRAMS BY CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATIONS

42.985 Circumstances in which continuing airworthiness management organisations may approve proposed variations

A CAMO is permitted to approve a variation of an approved maintenance program if the organisation's approval under CASR Subpart 42.G provides for it. The organisation is required to ensure that the variation is approved by an appropriately authorised employee of the organisation.

42.990 Requirements to be met for approval of variation of maintenance programs

A maintenance program, as varied, is required to comply with the requirements in the instructions for the continuing airworthiness for the aircraft and for aeronautical products fitted to the aircraft and the requirement specified in the Part 42 MOS.

42.995 Requirements to be met by continuing airworthiness management organisation before approving proposed variations

A CAMO is prohibited from approving a variation to an approved maintenance program unless the requirements of CASR 42.990 are met.

42.1000 Requirements to be met by individual before approving proposed variations

An individual is prohibited from approving a proposed variation to an approved maintenance program unless the requirements of CASR 42.990 are met.

42.1005 How approval is given

To approve a variation to an approved maintenance program the individual approving the variation must make record of the approval in accordance with regulation and sign and date the record.

42.1010 Record-keeping requirements

The CAMO must keep the following items for the period during which the maintenance program is in effect:

- a copy of the approved variation;
- a copy of the record of the approval; and
- a copy of any other supporting document.

DIVISION 42.J.5 APPROVAL OF VARIATIONS OF APPROVED MAINTENANCE PROGRAMS BY CASA

42.1015 Application to CASA for approval of variations of approved maintenance programs

The person responsible for the continuing airworthiness for an aircraft may apply to CASA for approval of a variation to a maintenance program for the aircraft. CASA's approval is required for the variation if the:

- proposed variation does not comply with the instructions for the continuing airworthiness of the aircraft or for aeronautical products fitted to the aircraft; or
- CAMO for the aircraft does not have the authority to approve the program.

42.1020 Form of application

An application to CASA for approval of a variation of an approved maintenance program must be in writing and contain a copy of the program and a technical justification for the variation.

42.1025 Approval of variations by CASA

CASA must approve the variation of an approved maintenance program if CASA is satisfied that the program, as varied, complies with the requirements specified in the Part 42 MOS and would adequately provide for the continuing airworthiness of the aircraft.

SUBPART 42.K DIRECTIONS TO VARY APPROVED MAINTENANCE PROGRAMS

42.1030 Purpose of Subpart

The purpose of this Subpart is to give CASA power to issue directions to vary approved maintenance programs.

42.1035 CASA may direct variation of approved maintenance programs

CASA is permitted to direct persons responsible for the continuing airworthiness of an aircraft to vary the approved maintenance program for the aircraft if CASA is satisfied that it is necessary to do so to adequately provide for the continuing airworthiness of the aircraft. The person so directed must comply with the direction within the time specified in the direction.

SUBPART 42.L APPROVAL OF RELIABILITY PROGRAMS AND VARIATIONS TO APPROVED RELIABILITY PROGRAMS

DIVISION 42.L.1 PRELIMINARY

42.1040 Purpose of the Subpart

The Subpart sets out the requirements for approval and variation of reliability programs for aircraft.

DIVISION 42.L.2 APPROVAL OF RELIABILITY PROGRAMS

42.1045 Application for approval of reliability program

The CAMO for an aircraft to which CASR 42.155 applies, may apply, in writing, to CASA for approval of a proposed reliability program for the aircraft. The application must include a copy of the program.

42.1050 Approval of reliability program

CASA may approve the program if CASA is satisfied that the program complies with the requirements specified in the Part 42 MOS.

DIVISION 42.L.3 APPROVAL OF VARIATIONS OF APPROVED RELIABILITY PROGRAMS

42.1055 Application for approval of variation of approved reliability program

The CAMO for an aircraft for which there is an approved reliability program, may apply to CASA for approval of a proposed variation of the program. The application must include a copy of the proposed variation.

42.1060 Approval of variation of approved reliability program

CASA may approve the variation only if CASA is satisfied that the program, if varied in accordance with the variation, will comply with the requirements specified in the Part 42 MOS.

SUBPART 42.M REQUIREMENTS FOR PILOTS

42.1065 Purpose of the Subpart

The Subpart sets out requirements for pilots.

Note: CASA is proposing to move these requirements into CASR Part 91 once that Part is developed.

42.1070 Pre-flight inspection — all aircraft

The pilot in command of an aircraft is required to ensure that a pre-flight inspection of the aircraft is carried out before the aircraft is operated if the aircraft's flight manual requires the inspection.

42.1075 Recording information in flight technical log — all aircraft

The pilot in command of an aircraft for a flight must ensure that, before the aircraft is next operated for flight, the following information is recorded in the flight technical log for the aircraft:

- (a) the aircraft's time in service for the flight;
- (b) details of any defect of which the pilot becomes aware during the operation of the aircraft;
- (c) any abnormal instrument indication that occurred during the flight;
- (d) any abnormal handling of the aircraft by the pilot during the flight;
- (e) any abnormal behaviour by the aircraft during the flight;
- (f) if required (by CASR 42.190) utilisation information; and
- (g) any instance of the exceeding of an operating limit specified in the aircraft's flight manual during the flight.

SUBPART 42.N RECORD-KEEPING REQUIREMENTS

42.1080 Purpose of the Subpart

The Subpart sets out requirements for records made and record-keeping.

42.1085 Requirements for records made under the Part

If a person is required to record information or to ensure that information is recorded the person must ensure that the record is written in a legible form in English and will remain legible for the time for which the record is required, by the regulations, to be kept. The record is to be securely kept in a system that allows the record to be easily retrieved.

42.1090 Correction to a record made under the Part

If a person amends a record, the person must make the amendment in a manner that retains the original record and identifies the record amender.

SUBPART 42.O COPYING OR DISCLOSING COCKPIT VOICE RECORDING INFORMATION

42.1100 Purpose of the Subpart

The Subpart sets out the authorisation of persons for copying and disclosing cockpit voice recorder information.

42.1105 Authorisation of persons for paragraph 32AP (3A) (a) of the Act

The people authorised to copy and disclose cockpit voice recorder information are: transport safety investigators who have been trained with respect to the replay and analysis of cockpit voice recordings and been briefed on the requirements of Part IIIB of the Act; and maintainers who check on behalf of an AMO whether equipment used to make a cockpit voice recording is functioning and reliable, who have had training from the organisation with respect to the replay and analysis of cockpit voice recordings and have been briefed by the organisation on the requirements of Part IIIB of the Act.