CONTINUING AIRWORTHINESS AND MAINTENANCE REGULATIONS PROJECT FOR AIRCRAFT CURRENTLY ENGAGED IN CHARTER OPERATIONS - ASAP TECHNICAL WORKING GROUP TASKING INSTRUCTIONS AND THIRD TWG MEETING REPORT – 24 OCTOBER 2019

The Technical Working Group is established and operates in accordance with the Terms of Reference of the Aviation Safety Advisory Panel (ASAP) dated September 2017 (or as amended).

PURPOSE

The role of the Technical Working Group will be to provide relevant technical expertise and industry sector insight for the development of legislation in accordance with the agreed policy principles.

The Technical Working Group will:

- Provide industry sector insight and understanding of current needs and challenges
- Provide current, relevant technical expertise for the development, analysis and review of legislative and non-legislative solutions to the identified issues
- Assist with the development of policies, regulations, advisory materials and transition strategies
- Provide endorsement and or conditional endorsement of policies, regulations, advisory materials and transition strategies for consideration by the ASAP and CASA.

KEY PRINCIPLES

The following principles for the reform were endorsed by the ASAP on 14 March 2019:

- Ensure compliance with the standards set by the ICAO for commercial air transport operation:
  - Annex 6 Part 1 — International Commercial Air Transport — Aeroplanes
  - Annex 6 Part III, Section II — International Commercial Air Transport — Helicopters
- Facilitate harmonisation with legislation of leading aviation states, as applicable for the Australian environment
- Ensure compatibility with the new flight operations regulations
- Ensure regulatory requirements are proportionate to the risk associated with the relevant operational classification
- Provide transitional strategies to minimise the disruption to the industry
- Consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes.

SPECIFIC OBJECTIVES

The project has two key components:

1. **Detailed policy development**. Review the relevant existing Australian legislation, ICAO standards and foreign legislations and determine:
   a. detailed policy proposals for the new Australian legislation.
   b. transitional strategies to minimise the disruption to current industry.
2. **Legislation development.** Legislation to be drafted to reflect the policies settled in stage 1.

Timelines for specific outputs are (tentative):

- Project launch: March 2019
- **Technical Working Group meeting: April 2019**
- Public consultation on detailed policy: July 2019
- Policy finalisation: November 2019
- **Technical Working Group meeting December 2019**
- Public consultation of legislation and guidance material: March 2020
- Regulatory package to Department: May 2020
- Implementation: To be established, in consultation with relevant stakeholders.

REPORTING ARRANGEMENTS

The Technical Working Group will provide a status report to the regular meetings of the ASAP on the progress.

Recommendations and reports of the working group will be provided to the Chair of the ASAP, through the secretariat.

ROLES AND RESPONSIBILITIES

CASA	Technical Working Group Members
• Organise meetings and workshops, and produce agendas, papers and supporting materials • Facilitate meetings and workshops • Record insights and findings • Communicate openly and consistently with working group members about project status and issues • Respect the time of all working group members by minimising work required to achieve outcomes	• Commit to supporting the project objectives and timeline • Engage and collaborate constructively at all times • Prepare for working group activities by reviewing agendas, papers and supporting materials • Provide timely and considered advice in meetings, and between meetings as required • Respond to requests for feedback on draft materials within agreed timeframes

CONSENSUS

A key aim of the Technical Working Group is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the Aviation Safety Advisory Panel and CASA.

The Technical Working Group will be guided by the ASAP Terms of Reference (Section 6) with respect to determining and documenting consensus.

MEMBERSHIP

Shannon Wells	Chris Schrapel	Richard Anderson
Sheridan Austin	Colin Miller*	Ernie Shapanis*
Jake Weston*	Jeff Boyd	Andrew Bishop*
Mike Higgins	Warren Bossie	

**Was unable to attend the meeting on 24 October 2019*

The TWG CASA Lead is Mr Iftekhar Ahmed.

The ASAP Secretariat was represented by Matt Bouttell.

PROCESS FOR ACHIEVING CONSENSUS

As required by the ASAP (& TWG) Terms of reference, there must be agreement by all participants on the method used for obtaining consensus.

To obtain consensus, the quorum of seven, agreed with the outcomes captured in this report in accordance with the ASAP terms of reference. All feedback was captured by the ASAP Secretariat.

The CASA Lead has also provided commentary of the effectiveness of the TWG and whether it's believed that the recorded outcomes are a fair representation of the TWG from a CASA perspective.

SUMMARY OF OUTCOMES – TWG Meeting, Canberra – 24 October 2019

The purpose of this TWG is to discuss Key Principles and to assist CASA in developing the proposed policy for continuing airworthiness and maintenance regulations for aircraft currently engaged in charter operations.

During this third meeting the TWG reviewed the proposed policy - either remotely or at the meeting – to ensure the previously discussed policies had been accurately captured prior to CASA conducting a public consultation.

Upon completion of the consultation CASA will analyse the feedback and provide this to the TWG as a draft Summary of Consultation (SOC) along with a final proposed policy. It is at this stage that the TWG will be expected to provide the ASAP with its final advice on whether this TWG supports the proposed policy in order for the ASAP to inform the CASA Director of Aviation Safety (DAS).

A. Does the TWG agree that the Policy Proposal (with the associated technical policies stipulated in the Annexes) is a true reflection of the policy development discussions and outcomes achieved in the first two meetings?

YES / **NO**

CONSENSUS / **GENERAL CONSENSUS** / **DISSENT**

Comments:
The TWG seeks further information from CASA on how this decision would be made given the below information contained within the Policy Proposal Document.
3.2.2, Who May carry out maintenance.
The TWG held concerns that the Policy Proposal Document states that '….a second kind of maintenance organisation for Part 133/135 aircraft if it is considered necessary after the policies are finalised.'

B. TWG General Comments

Comments

- There was concern expressed by one TWG member that there will be a 'reduction of maintenance standards relating to safety and quality' for those aircraft that previously conducted RPT flights and maintained under Part 145 maintenance once Part 135 flying ops is implemented as these operators will be able to operate scheduled services and be maintained under the 'lower' proposed maintenance regulations.

- With regards to transition Post-Part 135 flying ops and pre-135 Maintenance regulations, the TWG continues to have concerns regarding ability for scheduled/RPT flights to be maintained under CAR

30. These concerns could be addressed by implementation of 135 flight ops and 135M implementation dates being aligned **or** transitional regulations to ensure scheduled services cannot commence without the new airworthiness/maintenance standards. This was also raised in the second meeting report.

- It was highlighted by two TWG members and CASA, that rotary wing operators wish to ensure current pilot maintenance privileges are retained.

- Should the outcome of the Part 135 Seat Break review result in a change from 9 seats, this is likely to significantly impact the responses to the consultation on this proposed policy. The TWG therefore seeks this consultation occur post- the seat break result.

CASA Lead Summary
Iftekhar Ahmed
Comment: CASA is grateful for the TWG being so productive and constructive in their work with this policy development and we look forward to their continued engagement in this process. We note the concerns of the TWG regarding implications of the Part 135 Seat Break Review on the Consultation however we believe that this can be mitigated by referencing the Review in the Consultation Hub to ensure those providing their feedback on the proposed Charter Maintenance policy are appropriately informed and therefore able to cater for this in their response. Further, should there be a change of CASA policy to increase the Part 135 Seat break, CASA will ensure this is considered during the analysis of this consultation and subsequent finalisation of the policy which will all be shared with the TWG post-consultation during first quarter 2020. It is therefore CASA's intention to publicly consult this proposed policy from 20 November for four weeks.

APPENDIX

1. Extract from ASAP Terms of Reference
2. TWG Agenda - 24 October 2019
3. Draft Policy Proposal PP 1915SS
4. Annex 1 - Continuing airworthiness for air transport operation under Part 121
5. Annex 2 - Continuing airworthiness policies for air transport operation under parts 133 and 135
6. Annex 3 - Maintenance organisation policies for air transport operation under Parts 133 and 135

Note: Appendices 2-5 are as provided to the TWG prior to the TWG meeting.

APPENDIX 1

TECHNICAL WORKING GROUP

(*extract)* From ASAP and TWG Terms of Reference regarding Consensus

6.1 A key aim of the ASAP is that a consensus be reached, wherever possible, in the finalisation and preparation of advice to the CEO/DAS.

6.2 For present purposes, 'consensus' is understood to mean agreement by all parties that a specific course of action is acceptable.

6.3 Achieving consensus may require debate and deliberation between divergent segments of the aviation community and individual members of the ASAP or its Technical Working Groups.

6.4 Consensus does not mean that the 'majority rules'. Consensus can be unanimous or near unanimous. Consensual outcomes include:

6.4.1 Full consensus, where all members agree fully in context and principle and fully support the specific course of action.

6.4.2 General consensus, where there may well be disagreement, but the group has heard, recognised, acknowledged and reconciled the concerns or objections to the general acceptance of the group. Although not every member may fully agree in context and principle, all members support the overall position and agree not to object to the proposed recommendation.

6.4.3 Dissent, where differing in opinions about the specific course of action are maintained. There may be times when one, some, or all members do not agree with the recommendation or cannot reach agreement on a recommendation.

Determining and Documenting Consensus

6.5 The ASAP (and Technical Working Groups) should establish a process by which it determines if consensus has been reached. The way in which the level of consensus is to be measured should be determined before substantive matters are considered. This may be by way of voting or by polling members. Consensus is desirable, but where it is not possible, it is important that information and analysis that supports differing perspectives is presented.

6.6 Where there is full consensus, the report, recommendation or advice should expressly state that every member of the ASAP (or Technical Working Group) was in full agreement with the advice.

6.7 Where there is general consensus, the nature and reasons for any concern by members that do not fully agree with the majority recommendation should be included with the advice.

6.8 Where there is dissent, the advice should explain the issues and concerns and why an agreement was not reached. If a member does not concur with one or more of the recommendations, that person's dissenting position should be clearly reflected.

6.9 If there is an opportunity to do so, the ASAP (or Technical Working Group) should re-consider the report or advice, along with any dissenting views, to see if there might be scope for further reconciliation, on which basis some, if not all, disagreements may be resolved by compromise.

ASAP Technical Working Group

Reform of continuing airworthiness legislation for the transition of current RPT and charter operations into future air transport operations under Parts 121, 133 and 135 of the CASR

Thursday, 24 October 2019

CASA Canberra Office

Level 1 Conference Room, Aviation House

16 Furzer St, PHILLIP ACT 2606

A G E N D A

Time	Topic	Presenter/s
8.30 am – 9.00 am	TWG members arrive at CASA Office	TWG members
9.00 am – 9.10 am	START - Welcome, introductions, housekeeping	ASAP
9.10 am – 10.00 am	Review of Annexes 1, 2 and 3	CASA
10.00 am – 10.15 am	Morning Tea	
10.15 am – 12.00 pm	Review of Annexes 1, 2 and 3	ALL
12.00 pm – 12.30 pm	Lunch Break	
12.30 pm – 2.30 pm	Review of Annexes 1, 2 and 3	ALL
2.30 pm – 2.45 pm	Afternoon tea	
2.45 pm – 4.00 pm	Review of Annexes 1, 2 and 3	ALL
4.00 pm – 4.30 pm	Wrap of the meeting, summary of issues and next steps	CASA
4.30 pm – 5.00 pm	Conclusion of meeting: • Writing of TWG report with recommendation and advice to the ASAP	ASAP

Australian Government
Civil Aviation Safety Authority

POLICY PROPOSAL
PP 1915SS

Charter continuing airworthiness regulation reform

Date	October 2019
Project number	SS 05/01
File ref	D19/377942

DRAFT - LIMITED DISTRIBUTION - FOR TWG ONLY

Overview

As part of the Regulatory Reform Program (RRP), the *Civil Aviation Regulations 1988* (CAR) are progressively being replaced by the *Civil Aviation Safety Regulations 1998* (CASR). CASA is establishing a comprehensive set of continuing airworthiness requirements for all aircraft under CASR.

This document contains a detailed, plain English policy proposal of continuing airworthiness requirements for aircraft currently operating in the charter sector. These policies will be the basis for new legislation that will be drafted and consulted in 2020.

Note:

This project does not cover aircraft used only in private or aerial work operations. There is a separate project underway that will develop continuing airworthiness policies for those aircraft in parallel with this project.

This project does have some minor effects on aircraft used in regular public transport (RPT) operations to ensure a proportionate set of continuing airworthiness regulations after commencement of the new flight operations regulations in March 2021.

Why are we consulting

Under this project, CASA is developing new continuing airworthiness and maintenance regulations for the current charter sector. We are also ensuring that the continuing airworthiness and maintenance regulations for the air transport sectors provide proportionate standards for the new Parts 121, 133 and 135 flight operations classifications that will commence in March 2021.

Continuing airworthiness and maintenance requirements for aircraft used in charter operations are currently included under Parts 4, 4A and 4B of CAR. The CARs are a set of unique Australian regulations that are outdated, inefficient and unnecessarily complicated. The current regulations can be improved in various areas, but they have provided a regulatory framework that has produced good airworthiness safety outcomes over the last 30 years.

CASA has approached this policy development work without any preconceived notions about the specific legislative outcomes. The proposed policies have been developed in accordance with key principles established in consultation with the Aviation Safety Advisory Panel (ASAP). CASA has worked in collaboration with an industry Technical Working Group (TWG) to develop the detailed policies. The policy development work was also informed by recent sector risk profiles.

We are seeking feedback from the wider industry and interested parties on the proposed policies. After all comments have been considered and the policies refined accordingly, CASA will finalise the policy proposal in consultation with the TWG and ASAP, and then commence the legislative drafting process. Draft legislation will be consulted in 2020 to ensure the policies have been accurately captured.

Contents

1 Reference material

1.1 Acronyms

The acronyms and abbreviations used in this policy proposal are listed in the table below.

Acronym	Description
ASAP	Aviation Safety Advisory Panel
CAAP	Civil Aviation Advisory Publication
CAR	*Civil Aviation Regulations 1988*
CASA	Civil Aviation Safety Authority
CASR	*Civil Aviation Safety Regulations 1998*
ICA	Instructions for continuing airworthiness
RPT	Regular public transport
TWG	Technical working group

1.2 Definitions

Terms that have specific meaning within this policy proposal are defined in the table below.

Term	Definition

1.3 References

Regulations

Regulations are available on the Federal Register of Legislation website https://www.legislation.gov.au/

Document	Title
CAR Part 4	Airworthiness requirements
CAR Part 4A	Maintenance
CAR Part 4B	Defect reporting
CASR Part 21	Certification and airworthiness requirements for aircraft and parts
CASR Part 42	Continuing airworthiness requirements for aircraft and aeronautical products

Document	Title
CASR Part 66	Continuing airworthiness—aircraft engineer licences and ratings
CASR Part 121	Australian air transport operations—larger aeroplanes
CASR Part 133	Australian air transport operations—rotorcraft
CASR Part 135	Australian air transport operations—smaller aeroplanes
CASR Part 145	Continuing airworthiness—Part 145 approved maintenance organisations

International Civil Aviation Organization documents

International Civil Aviation Organization (ICAO) documents are available for purchase from http://store1.icao.int/

Document	Title
Annex 6 Part I	International Commercial Air Transport — Aeroplanes
Annex 6 Part III	International Operations — Helicopters

Advisory material

CASA's advisory circulars are available at http://www.casa.gov.au/AC

CASA's Civil Aviation Advisory Publications are available at http://www.casa.gov.au/CAAP

Document	Title
CAAP 30-4	Certificate of Approval — Maintenance Organisation

Other technical references

Document	Title

1.4 Forms

CASA's forms are available at http://www.casa.gov.au/forms

Form number	Title

2 Introduction

2.1 Background

As part of the Regulatory Reform Program (RRP), the CARs are progressively being replaced by CASR. CASA is establishing a comprehensive set of continuing airworthiness requirements for all aircraft under CASR. This document contains a detailed, plain English policy proposal of continuing airworthiness requirements for aircraft currently operating in the charter sector. These policies will be the basis for new legislation that will be drafted and consulted in 2020.

2.1.1 Structure of this document

The main body of this document provides an overview of the policy development process and the key policy outcomes. Annexes provide a more detailed explanation in each policy area.

2.1.2 Compatibility with new flight operations regulations

When the new flight operation regulations commence in March 2021, the existing RPT and charter operations will transition into three new CASR Parts: 121, 135 and 133, covering air transport operations, depending on the class (aeroplane vs helicopter) and size (weight and passenger capacity) of the aircraft.

These new flight operations regulations will provide a new risk-based framework that has a different basis from the current regulatory system. The continuing airworthiness requirements need to be adjusted to be compatible with this new framework and ensure the continuing airworthiness requirements are proportionate across the new sectors. This document is accordingly framed in terms of the new flight operations classifications.

CASA acknowledges the independent review of the passenger seat break in the new flight operations regulations. CASA, in consultation with industry, will assess the outcomes of that review in relation to the policies proposed in this document when the outcomes become available.

CASA also acknowledges that transition from the current to the new flight operations regulations will have consequential effects on the continuing airworthiness and maintenance sectors. CASA is developing transitional measures scheduled to be published for consultation in December. These measures will prioritise safety, but also take commercial issues into consideration and seek to moderate effects on affected businesses.

2.2 Previous consultation

The key principles for this work were established in consultation with the Aviation Safety Advisory Panel in March 2019. The ASAP formed a Technical Working Group (TWG) to provide technical expertise and industry sector insight for the development of policies in accordance with the key principles.

The TWG agreed by consensus with the policies set out in this document.

The TWG included representatives from:

- Aircraft Maintenance Australia

- Airlines of Tasmania
- Aviair Pty Ltd / Helispirit
- Babcock Offshore Services Australasia Pty Ltd
- Hawker Pacific Aviation
- Interair Pty Ltd
- Maryborough Aviation Services
- Regional Aviation Association of Australia
- Temora Aviation Museum Engineering
- The Australian Aviation Associations Forum.

3 Proposed continuing airworthiness policies

3.1 Key principles

The key principles applied while developing the proposed policies are the following:

a. Ensure compliance with the standards set by ICAO for commercial air transport operations:
   i. Annex 6 Part 1 — International Commercial Air Transport — Aeroplanes
   ii. Annex 6 Part III, Section II — International Commercial Air Transport — Helicopters
b. Facilitate harmonisation with legislation of leading aviation states, as applicable for the Australian environment
c. Ensure compatibility with the new flight operations regulations
d. Ensure regulatory requirements are proportionate to the risk associated with the relevant operational classification
e. Provide transitional strategies to minimise the disruption to the industry.
f. Consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes.

3.2 Proposed policies for Part 133 - Rotorcraft, and Part 135 - Smaller aeroplanes

Part 133 will cover air transport operations in rotorcraft.

Part 135 will cover air transport operations in smaller aeroplanes. This includes any current charter or RPT operations in smaller aeroplanes. Smaller aeroplanes are those that meet both of the following criteria:

- fitted with 9 or fewer passenger seats in its approved configuration
- a maximum take-off weight (MTOW) up to 8,618 kg.

The following sections provide a summary of the significant policies across the four main elements of continuing airworthiness (full policy details are available in the appendices):

- continuing airworthiness management
- who may carry out maintenance
- maintenance performance rules
- approved maintenance organisations.

The majority of proposed policies would maintain the status quo. Proposals that would be a substantive change from the current policies are marked with an asterix and an explanation provided.

3.2.1 Continuing airworthiness management

Title	Title
Responsibility for continuing airworthiness of an	• The AOC holder for an aircraft will by default, be the person responsible for continuing airworthiness of the aircraft and will be ultimately responsible for airworthiness of the aircraft before a flight unless the OAC holder contract

aircraft	another individual or organisation as the person responsible for continuing airworthiness.* * New policy: this would officially transfer primary responsibility for continuing airworthiness from the registered operator to the AOC holder. This is a fundamental improvement to ensure a clear definition of the roles and responsibilities of the various entities and is consistent with ICAO standards. • If an AOC holder contracts another individual or organisation as the person responsible for continuing airworthiness the AOC holder must nominate an individual within the AOC to provide oversight of the continuing airworthiness management tasks. The HAAMC required under the Civil Aviation Act will be able to fill in this role. The AOC will still be ultimately responsible for airworthiness of the aircraft before a flight. • The person responsible for continuing airworthiness must be approved by CASA. The approval may be combined with the AOC approval. If the approval is for an organisation, then individuals within the organisation will not need to be approved by CASA.** • The responsible individual/organisation must: o meet minimum competency standards o have a procedures manual (may be combined with the AOC manuals) o have access to instructions for continuing airworthiness o have appropriate facilities o have a quality or independent audit system (this may be the AOC quality system).** ** New policy: (two dot points) This would clarify the requirement for formal continuing airworthiness management for air transport operations. It would effectively amalgamate the roles of the HAAMC and the maintenance controller.
Maintenance programs	• AOC holder must have a maintenance program for the aircraft. • A program that complies with the manufacturers' instructions will not require approval. • Variations from the manufacturers' instructions will need to be justified and approved. • Continued use of Schedule 5 would need to be justified and approved as a maintenance program.* * New policy: Currently the registered operator of a small aircraft used in charter operations may elect to use Schedule 5 for their aircraft. The responsibility to ensure that it is appropriate is implied and not clearly defined. This policy would ensure that all aircraft used in air transport operations have a maintenance program that is appropriate for the aircraft. • Maintenance program approvals may be granted by appropriately authorised industry personnel (similar to CAR 42M and 42R), including individuals within an AOC. CASA will also be able to approve maintenance programs. • There must be a system in place to ensure the ongoing effectiveness of the maintenance program, i.e. periodic review or reliability program.** ** New policy: Currently the responsibility to ensure that the aircraft maintenance program remains appropriate for the aircraft is not clearly defined. This policy

	would ensure that all aircraft used in air transport operations have a maintenance program that is appropriate for the aircraft.
Instructions for continuing airworthiness	• There must be arrangements in place to assess manufacturers' ICA such as service bulletins.
Continuing airworthiness records	• The AOC holder must have a continuing airworthiness records system. The system may be electronic. The existing CASA log books will be acceptable.
Flight technical log	• The AOC holder will be required to have a flight and technical log to record aircraft's utilisation information, defects, maintenance certification and release to service.
Managing defects	• The AOC holder must have a system to manage defects which includes recording, rectifying and deferring defects.
Major defects	• The AOC holder will have to report any major defect in their aircraft to CASA and TC holders for the aircraft, engine and propeller as applicable.* * New policy: Currently major defect reports only need to be sent to CASA. Reporting to the TC holder will improve the efficiency of the airworthiness safety system. • The AOC holder will have to investigate major defects to establish if there is a need for any action. This may be part of AOC holder's SMS function.
Modifications	• Aircraft modifications must be made in accordance with data approved or acceptable under Part 21. Part 21 allows approval of data by a 21.M authorised person and also allows acceptance of data that has been approved by the TC holder or by a recognised country.
Periodic airworthiness review	• A periodic airworthiness review will be required. It will primarily be a review of an aircraft's continuing airworthiness records to establish that the key continuing airworthiness requirements have been complied with.* • The period may be extended to 3 years if the continuing airworthiness of the aircraft has been managed by the same entity. • CASA will provide adequate time and guidance to carry out the initial review. • Reviews must be carried out by competent personnel appointed by the AOC holder. * New policy: Periodic airworthiness reviews would be a new requirement. This policy would expand on the current maintenance release requirements, which would not be a requirement in the future. This policy is a desirable safety improvement that is a common element of comparable international standards and has received positive reports from users in Australia.

3.2.2 Who may carry out maintenance?

Title	Title
Maintenance organisations	• Maintenance organisations approved by CASA under CASR may carry out maintenance inside and outside Australia. This includes Part 145 AMOs. CASA will develop legislation for a second kind of maintenance organisation for Part 133/135 aircraft if it is considered necessary after the policies are finalised.

	• Maintenance organisations approved by the following countries will be able to carry out certain maintenance on aircraft outside Australia. o USA o EASA member States o New Zealand o Singapore.* • Maintenance organisations approved by the following countries will be able to carry out maintenance on aeronautical products outside Australia. o USA o EASA member States o New Zealand o Singapore o Canada.* * New policy: Currently maintenance may generally be sourced from a wider range of countries. This would limit the acceptance to countries with which Australia has an agreement, plus FAA and EASA approved maintenance organisations. This policy is intended to strike a reasonable balance between safety assurance, cost and flexibility for unscheduled air transport operations.
Independent LAME	• Privileges will remain similar to current Schedule 7, both in form and content.
NDT and welding	• Maintenance organisations will be able to assess and authorise individuals to carry out and certify for NDT and welding without the need for the individual to hold a specific CASA authorisation. • CASA will continue to grant individual NDT and welding authorisations.
Pilots	• Privileges will remain similar to current Schedule 8, but with various changes. • Pilots will have to be trained by a maintenance organisation and be authorised by the operators based on their competency.* * New policy: This policy would clarify the requirement to establish the competency and scope of pilots for carrying out maintenance.

3.2.3 Maintenance performance rules

Title	Title
Use of parts and materials	• Parts must be fitted in accordance with the approved design. • Traceability and authenticity of parts must be established by authorised release certificate, or certificate of conformity standard parts or materials.
Independent inspection	• Independent inspection will be required after maintenance of critical control systems.* * New policy: This would be an expansion of the current independent inspection requirements from flight controls to critical control systems. This is an improvement that better covers the safety intent and modern technology. • Inspections may be performed by LAMEs and appropriately trained and authorised pilots.

Maintenance records	• Maintenance records will be required for all maintenance.
Certification of maintenance	• Individual who carried out or supervised the maintenance must certify for proper completion of the maintenance.
Maintenance release	• After the completion of all maintenance, the maintenance organisation or independent maintainer will have to issue a certificate stating that that all maintenance has been carried out in accordance with the requirements of the applicable legislation (similar to final certification under CAR).* * New policy: This would clearly separate and assign the responsibilities of maintenance from continuing airworthiness management. The proposed airworthiness review would replace the current maintenance release requirement to ensure that all required maintenance has been carried out.
Major defect reporting	• Aircraft maintainers will have to report any major defect to the registered operator of the aircraft. • Maintenance organisations carrying out maintenance on an aeronautical product will have to report any major defect to CASA.

3.2.4 Approved maintenance organisations

The proposed policies for maintenance organisations for Part 133/135 aircraft have been developed from CAAP 30-4 and the outcomes of the recent maintenance sector risk profile. CASA will develop legislation for a second kind of maintenance organisation (i.e. in addition to Part 145) for Part 133/135 aircraft if it is considered necessary after the policies are finalised. This second kind of maintenance organisation would not be permitted to carry out maintenance on Part 121 aircraft or aeronautical products for Part 121 aircraft.

The table below covers some of the more significant proposed policies. Full policy details are available in the appendix.

Title	Title
Scope of approval CAAP 30-4, 4.1.5	• Scope may be granted broadly according to capability and procedures • Separate aircraft and component maintenance scope will continue.
Maintenance organisation's manual CAAP 30-4 App 5	• Maintenance organisations will be required to have a manual describing: o the organisation's structure o the roles and responsibilities of key personnel o location of maintenance facilities o scope of approval o general description of the facilities at each location o procedures for carrying out maintenance. • The complexity of the manual will depend on the organisation's size, scope and the complexity of its activity.
Locations CAAP 30-4, 4.1.5 CAAP 30-4, 7.1.1	• Locations where maintenance organisation intends to carry out will need to be approved • Unscheduled maintenance at locations not approved will be permitted. • Limited schedule maintenance will also be permitted in accordance with procedures.
Changes to the	• The following changes will require approval by CASA:

approval CAAP 30-4, 4.1.2	o Change of scope of maintenance o Change to management personnel o Change to primary location.
Key personnel CAAP 30-4, 4.1.5 CAAP 30-4 App 2	• Maintenance organisations will be required to have the following management personnel: o An accountable person with ultimate authority o Personnel responsible for controlling the organisation's activities o A person responsible for safety and quality system • It will be possible to have a single person filling all of the above positions except that the individuals performing internal audits will have to be independent of the activity.
Other personnel CAAP 30-4, 4.1.5 CAAP 30-4, 4.1.9 CAAP 30-4 App 2	• Maintenance organisations will be required to have appropriately qualified maintenance personnel to carry out maintenance under the scope of approval. • The organisation will be required to authorise certification personnel (i.e. listing certification personnel in a register and making the personnel aware of their scope of authorisation). • Quality or internal audit personnel will have to be competent in audit.
Training of personnel CAAP 30-4, 4.1.9 CAAP 30-4 App 2	• Personnel will have to be trained on the organisation's procedures and, as required, to ensure competency for maintenance. • Human factors training will have to be provided to maintenance personnel.* * New policy: This would require human factors training, which aims to treat an elevated risk to safety identified at the recent sector risk profile. • Organisations will be required to keep records of training provided.
Tools and equipment CAAP 30-4 App 3	• The organisation must have, or have ready access to, the required tools and equipment for their scope of approval. • Alternate tools and equipment may be used in accordance with procedures.
Data CAAP 30-4 App 4	• The organisation will be required to have access to applicable maintenance data.
Manufacture of parts during maintenance CAAP 30-4 App 9	• Organisations will be able to seek scope to fabricate parts in the course of maintenance. • Fabrication privileges do not have be limited to particular parts, but the scope will have to be defined in the manual.
Human factors in maintenance	• Maintenance performance rules will integrate human factor and human performance issues.* * New policy: This would formally include human factors considerations in maintenance, which aims to treat an elevated risk to safety identified at the recent sector risk profile.
Safety management system (SMS)	• An organisation will need to have appropriate and relevant elements of SMS based on the size and complexity of the organisation.* * New policy: This would formally include proportionate SMS in all maintenance

	organisations working on air transport aircraft, which aims to treat an elevated risk to safety identified at the recent sector risk profile.

3.3 Proposed policies for Part 121 - larger aeroplanes

Part 121 will cover air transport operations in larger aeroplanes. This includes any current charter or RPT operations in larger aeroplanes. Larger aeroplanes are those that meet either of the following criteria:

- fitted with more than 9 passenger seats in its approved configuration
- a maximum take-off weight (MTOW) of more than 8,618 kg.

3.3.1 Proposed policies

Part 121 aircraft will comply with CASR Part 42 and Part 145 as currently applicable to RPT aircraft, with the changes set out below (the points described below are a high level summary – see the appendices for full details).

Aircraft to which Subpart 121.Z (certain single engine aeroplanes) applies will comply with the requirements for Part 135 aircraft.

3.3.1.1 Continuing airworthiness management

CAMO requirements will be made more scalable and outcome-based, which would allow 1 person organisations to be approved as a CAMO.

Competency requirements for CAMO personnel will be made less prescriptive and allow more pathways to approval. In particular, CASA will amend the qualification requirements to provide pathways for competent individuals who do not meet the current formal qualification standards. All current maintenance controllers for charter operators will be automatically accepted as that operator's head of CAMO.

CASA will adjust the CAMO approval procedures to ensure that CASA does not need to specifically approve all key personnel. CASA procedures will focus on assessment of the head of the CAMO, provided other key personnel meet the relevant requirements.

3.3.1.2 Who may carry out maintenance?

CASA will amend Part 42 to allow maintenance organisations approved by the following countries to carry out certain maintenance on aircraft outside Australia for unscheduled operations (the maintenance organisation would not need to be physically located in that country):

- USA
- EASA member States
- New Zealand
- Singapore.

The Part 42 pilot maintenance privileges will be extended as follows:

- Maintenance that the instruction for continuing airworthiness specifically allows a pilot to carry out

- Check aircraft tyre pressure
- Inspection after a bird strike, provided the bird has not been ingested into the aircraft engine or an air inlet, or has not impacted any composite structure
- Engine compressor water wash using quick release connection.

3.3.1.3 CASR Part 145 Approved Maintenance organisations

CASA is progressing a range of improvements to Part 145 under a related Project MS 17/03 - Post-implementation review (PIR) of CASR Part 145 - Approved maintenance organisations.

3.4 Impacts on industry

In accordance with the key policies, CASA is committed to ensuring that the final policies provide a regulatory framework that is proportionate to the new flight operations sectors and the size and complexity of the aircraft.

This project provides an opportunity to replace the ageing CARs with a more efficient, proportionate and risk-based set of regulations. It is also an opportunity to make various improvements to the more recent CASR Part 42 and 145 regulations both for the current RPT operators and to ensure it is appropriate for the future Part 121 operators.

A detailed regulation impact statement will be prepared and published in accordance with the Office of Best Practice Regulation guidelines after the policies have been finalised. CASA welcomes input from industry to inform that work.

3.5 Implementation and transition

CASA is working towards finalising the policies for the future continuing airworthiness requirements by March 2020, which will give certainty to affected parties one year prior to commencement of the new flight operations regulations.

CASA envisages that the legislation that will give effect to the finalised policies will be drafted, consulted and made in 2020.

Commencement and transition details will be determined and settled in consultation with industry after the policies have been finalised.

CASA is committed to transition strategies that minimise disruption to industry and will work in collaboration with the TWG and consultation with the wider industry accordingly.

Closing date for comment

CASA will consider all comments received as part of this consultation process and will incorporate changes to the regulation as appropriate. Comments on the draft new policy should be submitted through the online response form by close of business [DD/MMM/YYYY].

Annex 1 Continuing airworthiness policies for air transport operation under Part 121 of CASR

Purpose of this Annex

(1) Annex 1 sets out changes to Part 42 of the CASR to accommodate the transition of existing charter operators into Parts 42 and 145 of CASR who operate aircraft that have:
  (a) maximum take-off weight (MTOW) of more than 8618 kg; or
  (b) passenger seating capacity of more than 9 seats.

(2) The changes mainly relate to:
  (a) who may carry out maintenance on aircraft outside Australian territory;
  (b) management personnel requirements for continuing airworthiness management organisation;
  (c) privileges of pilot to carry out maintenance.

Application of the proposed policies in this document

The proposed policies in this document apply to the following persons:
(a) AOC holders for aircraft that are authorised to operate under Part 121 of CASR;
(b) Persons responsible for continuing airworthiness for an aircraft that authorised to operate under Part 121 of CASR;
(c) persons who carry out maintenance on an:
  (i) aircraft authorised to operate under an AOC;
  (ii) aeronautical products for aircraft that are authorised operate under an AOC.

Section A

This section set out the proposed changes to Subpart A of Part 42

Content to be added.

Section B

This section set out the proposed changes to Subpart B of Part 42

Content to be added.

Section C

This section set out the proposed changes to Subpart B of Part 42

C.01 Ensuring certificate of releases to service is issued in accordance with CASR Part 42 by maintenance organisations approved by a foreign State.

(1) If maintenance on aircraft is carried out by a maintenance organisations approved by a foreign State, the person responsible for managing continuing airworthiness for the aircraft must ensure that the organisation has procedures to issue certificate of releases to service for the aircraft in relation to the maintenance.

(2) The person responsible for managing continuing airworthiness for the aircraft must ensure a certificate of release to service for the aircraft in relation to the maintenance is issued in accordance with Subpart 42.H of CASR.

Section D

This section set out the proposed changes to Subpart D of Part 42

D.01 Who may carry out maintenance on aircraft outside Australian territory

(1) Outside Australian territory, an individual may carry out any maintenance on an aircraft on behalf of a foreign maintenance organisation if:
- (a) the organisation has been approved by any of the States listed under clause (2) to carry out the maintenance; and
- (a) the aircraft is engaged in unscheduled air transport operations.

(2) For the purpose of clause (1), the States are:
- (b) member States of the European Aviation Safety Agency;
- (c) New Zealand;
- (d) Singapore;
- (e) United States of America.

D.02 Privileges of pilot licence holder to carry out maintenance on aircraft

(1) A continuing airworthiness management organisation will be able to authorise a pilot licence holder or flight engineer under regulation 42.630 to carry out the following maintenance on an aircraft in addition to what is currently listed under Part 42 MOS Chapter 15:
- (a) Maintenance that the instruction for continuing airworthiness specifically allows the pilot to carry out.
- (b) Check aircraft tyre pressure
- (c) Inspection after a bird strike provided the bird has not been ingested into the aircraft engine or an air inlet or has not impacted any composite structure.
- (d) Engine compressor or turbine water wash using quick release connection.

(2) Current training and competency requirements in Part 42 would apply for the issue of the authorisation.

Section E

This section set out the proposed changes to Subpart E of Part 42.

Content to be added.

Section F

This section set out the proposed changes to Subpart F of Part 42.

F.01 Subpart 42.F approved maintenance organisation

This subpart will be repealed. Any future maintenance organisation approval other than Part 145 maintenance organisation approval will be covered in a separate Part.

Section G

This section set out the proposed changes to Subpart G of Part 42.

G.01 Management and key personnel requirements for continuing airworthiness management organisations

(1) Part 42 MOS will be amended to ensure requirements for continuing airworthiness management organisations generally and in particular for the management personnel are less prescriptive and scalable which would allow an organisation with one full time person to be approved as a continuing airworthiness management organisation.

(2) Management personnel will no longer be directly approved by CASA. Continuing airworthiness management organisations will be able to nominate management personnel if they meet the qualification, knowledge and experience requirements specified in Part 42 MOS. Any changes to management personnel will still be considered as significant change to the organisation and CASA will have the opportunity to assess the eligibility of these personnel for the position as part of approving the significant change.

(3) Qualification requirements specified in Part 42 MOS for management and other key personnel position will be amended to allow experienced and competent individuals who do not meet formal qualifications requirements to be eligible for the position.

(4) An existing maintenance controller for a charter operator will be allowed to be appointed as the continuing airworthiness manager for Part 121 operator's continuing airworthiness management organisation.

Section H

This section set out the proposed changes to Subpart H of Part 42.

Content to be added.

Section I

This section set out the proposed changes to Subpart I of Part 42.

Content to be added.

Section J

This section set out the proposed changes to Subpart J of Part 42.

Content to be added

Section K

This section set out the proposed changes to Subpart K of Part 42.

No change.

Section L

This section set out the proposed changes to Subpart L of Part 42.

Content to be added

Section M

This section set out the proposed changes to Subpart M of Part 42.

Content to be added

Section N

This section set out the proposed changes to Subpart N of Part 42.

No change.

Section O

This section set out the proposed changes to Subpart O of Part 42.

No change

Part II Continuing airworthiness policies for air transport operation under Parts 133 and 135

Section A Preliminary

A.005 Purpose of this Part:

Part II sets out continuing airworthiness policies, including policies for carrying out maintenance, for aircraft and aeronautical products for the aircraft authorised to operate under Parts 133 and 135 of CASR.

A.010 Meaning of terms used in this document

(1) In this document:

AOC means an air operator's certificate that authorises the operation of an aircraft under Parts 121, 133 or 135 of CASR.

AOC holder for an aircraft means an AOC holder who is authorised to operate the aircraft under the AOC.

person responsible for continuing airworthiness for an aircraft means the person who is responsible for performing continuing airworthiness management tasks for the aircraft specified in Subsection C.2 of this document.

(1) Reference to ***carrying out maintenance on an aircraft*** includes:
- (a) carrying out maintenance on an aeronautical product that is fitted to the aircraft at the time the maintenance is carried out; and
- (b) carrying out maintenance on an aeronautical product that is not fitted to the aircraft at the time the maintenance is carried out, provided:
  - (i) the product is removed from the aircraft and is installed back to the same location on the aircraft after the maintenance;
  - (ii) the maintenance data for the maintenance does not require the use of special tools, equipment and dedicated workshop facilities for carrying out the maintenance;
  - (iii) the product does not require bench test and the serviceability can be tested on the aircraft in accordance with the applicable maintenance data;
  - (iv) competency to carry out the maintenance is covered by the usual competency requirements for an aircraft maintenance licence holder.

(3) ***carrying out maintenance on an aeronautical product*** is a reference to carrying out maintenance on an aeronautical product that is not fitted to an aircraft at the time the maintenance is carried out, with the exception mentioned in paragraph (1)(b) above.

A.015 Application of proposed policies in this document

The proposed policies in this document applies to
- (d) AOC holders for aircraft;
- (e) persons responsible for continuing airworthiness for an aircraft authorised to operate under an AOC;
- (f) persons who carry out maintenance on an:

(i) aircraft authorised to operate under an AOC; or
(ii) aeronautical products for aircraft that are authorised operate under an AOC.

Section B Continuing airworthiness responsibility of an AOC holder

B.005 Purpose of this Section

This Section sets out the continuing airworthiness responsibilities of an AOC holder for an aircraft.

B.010 Responsibility for ensuring airworthiness of an aircraft

An AOC holder for an aircraft is responsible for:

(a) if the AOC holder is the person responsible for continuing airworthiness for the aircraft – performing of the continuing airworthiness management tasks; or

(b) if the AOC holder has nominated another person as the person responsible for continuing airworthiness for the aircraft – ensuring proper performance of the continuing airworthiness management tasks by the person responsible for continuing airworthiness for the aircraft; and

(c) ensuring airworthiness of the aircraft before the aircraft is operated for a flight under the AOC.

Note: *Continuing airworthiness management tasks for an aircraft are specified in Subsection C.2 of this document.*

B.010 Person responsible for continuing airworthiness for an aircraft

(1) If an aircraft is authorised to operate under one AOC, the AOC holder will be the person responsible for continuing airworthiness for the aircraft unless the AOC holder nominates another person (individual or organisation) for this role.

(2) If an aircraft is authorised to operate under more than one AOCs, the AOC holders must mutually nominate:
(a) one of the AOC holders; or
(b) another person who is not one of the AOC holders;
as the person responsible for continuing airworthiness for the aircraft.

(3) If an AOC holder for an aircraft is the person responsible for continuing airworthiness for the aircraft, the AOC holder will be:
(a) assessed by CASA for having the capability set out in Appendix B.1; and
(b) be approved;
as part of the approval of the AOC, to perform the continuing airworthiness management tasks for the aircraft.

(4) If an AOC holder for an aircraft nominates another person as the person responsible for continuing airworthiness for the aircraft, the AOC holder must ensure the person has been:
(a) assessed by CASA for having the capability set out in Appendix B.1
(b) approved;
to perform continuing airworthiness management tasks for the aircraft.

(6) If an AOC holder for an aircraft nominates another person including another AOC holder as the person responsible for continuing airworthiness for the aircraft – the AOC holder (who is not the person responsible for continuing airworthiness) will be:
(a) assessed by CASA for having the minimum capability set out in Appendix B.2; and
(b) be approved;
as part of the approval of the AOC to be able to meet their obligation under B.010(1)(b) and (c).

B.015 Contract with the person responsible for continuing airworthiness for an aircraft

(1) If an AOC holder for an aircraft nominates another person including another AOC holder as the person responsible for continuing airworthiness for the aircraft – the AOC holder must have a written contract with the person responsible for continuing airworthiness for the aircraft, setting out the obligation of each parties for:

(a) proper performance of the continuing airworthiness management tasks; and

(b) ensuring airworthiness of the aircraft before the aircraft is operated for a flight under the AOC.

(2) The form and the content of the contract must comply with the specification for the contract set out in Appendix B.3.

(3) The AOC holder must give CASA a copy of the contract within 14 days after the contract has been made.

(4) If a provision of the contract dealing with continuing airworthiness for the aircraft is varied – the AOC holder must give CASA a copy of the varied provision within 14 days after the variation has been made.

(5) If the AOC holder terminates the contract – the AOC holder must give CASA written notice of the termination within 14 days after the contract is terminated.

(6) If the AOC holder becomes aware that the person responsible for continuing airworthiness for the aircraft has contravened a requirement in relation to performing continuing airworthiness tasks for the aircraft, AOC holder must give CASA written notice of the contravention within 7 days after the AOC holder becomes aware of the contravention.

B.020 Ensuring airworthiness review certificate for an aircraft is in force

Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure that the airworthiness review certificate for the aircraft is in force.

B.025 Ensuring certificate of release to service for maintenance on carried on an aircraft has been issued

(1) Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure that a certificate of release to service has been issued for the aircraft in relation to the maintenance carried out on the aircraft since the aircraft last operated for a flight.

B.030 Ensuring availability of operational or emergency equipment for a for a flight

Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure each item of operational or emergency equipment that is required under Parts 133 or 135 CASR for the flight, is fitted to the aircraft and is serviceable.

Note: *Parts 133 and 135 of the CASR and the associated Manual of Standards sets out the requirements for operational or emergency equipment.*

B.035 Responsibility for operating an aircraft for a flight with defect

(1) Before an aircraft is operated for a flight with a defect, the AOC holder for the aircraft must ensure:

(a) that the rectification of the defect has been deferred by a:

(i) a maintenance person in accordance with Section in D of this document; or

(ii) the pilot in command for a flight of the aircraft in accordance with Section M of this document; and

(b) record of deferral of the rectification exist as per clause (2); and
(c) the record of deferral is in force.

Note 1: *Section D specifies the qualification of a maintenance person who may defer rectification of a defects, the circumstances under which the person may defer the defect and how the record of deferral of the rectification must be made. Section M specifies the circumstances under which a pilot in command for a flight of an aircraft may defer the rectification of a defect and how the record of deferral must be made.*

Note 1: *Deferral of rectification of a defect may be valid for certain number of days or for certain flight hours etc. after record of deferral is made. This will be mentioned in the record of deferral. The record of deferral will no longer be in force if the days or for flight hours has elapsed.*

(2) The record of deferral of rectification of the defect must be in the flight technical log for the aircraft if the operation of the aircraft for a flight with the defect is:
(a) permitted by the aircraft's minimum equipment list or the flight manual; or
(b) subject to any condition and limitations mentioned in the record of deferral.

(3) If the record of deferral of rectification of the defect mentions that the operation of the aircraft for a flight is permitted subject to any condition and limitation – the AOC holder must ensure those conditions and limitations are observed.

(4) Subclause (1) does not apply to a superficial defect.

B.040 Ensuring maintenance on aircraft or aeronautical product is carried out by appropriate person

(1) An AOC holder for an aircraft must ensure that any maintenance on the aircraft is carried out by a person who is permitted to carry out the maintenance under Section D.

(2) An AOC holder for an aircraft must ensure maintenance required to be carried out on an aeronautical product for the aircraft is carried out by a person who is permitted to carry out the maintenance under Section D.

Appendix B.1

…

Appendix B.2

…

Appendix B.3

Reference: B.005(4)

A contract between the AOC holder for an aircraft authorised by the AOC and the person responsible for continuing airworthiness for the aircraft must be in writing and include provisions dealing with the following matters:

(a) the details of the aircraft covered by the contract, including the registration mark, type, model, and serial number for the aircraft;
(b) the AOC holder's name and address;
(c) name, address and approval reference number of the person responsible for continuing airworthiness for the aircraft;
(d) the continuing airworthiness management tasks for which the person responsible for continuing airworthiness for the aircraft is responsible.
(e) the information that AOC holder will give to the person responsible for continuing airworthiness for the aircraft, to ensure proper accomplishment of the continuing airworthiness tasks;
(f) the information that the person responsible for continuing airworthiness will give to AOC holder, to ensure aircraft is airworthy before a flight;
(g) how the information mentioned in paragraphs (f) and (g) will be provided by each party;
(h) the date of effect of the contract.

Section C Continuing airworthiness management

Subsection C.1 - Preliminary

C.005 Purpose of this Section

This Section sets out the continuing airworthiness responsibilities of the person responsible for continuing airworthiness for an aircraft that is authorised to operate under an AOC.

C.010 Meaning of terms used in this Section

(1) In this Section:
maintenance requirements for maintenance program, for an aircraft means
the instructions for continuing airworthiness for the aircraft, or an aeronautical product fitted to the aircraft, that specifies schedule maintenance requirements for the aircraft and aeronautical product.

(2) A maintenance program for an aircraft is considered to ***comply with a maintenance requirement for maintenance program*** for the aircraft, if:
(a) the maintenance program includes the maintenance requirement; and
(b) the scope and extent of the maintenance requirement in the program is not less than the corresponding scope and extent in the maintenance requirement for maintenance program; and
(c) the maintenance interval for the maintenance requirement in the program is not less restrictive than the corresponding maintenance interval in the in the maintenance requirement for maintenance program; and
(d) the method and technique for carrying out the maintenance requirement in the maintenance program is same as the method and technique in the in the maintenance requirement for maintenance program.

Subsection C.2 - Continuing airworthiness management tasks

C.015 Ensuring certificate of release to service for maintenance carried on an aircraft has been issued

(1) After completion of all the maintenance on an aircraft and before the aircraft is operated for a flight, the person responsible for managing continuing airworthiness for the aircraft must ensure that a certificate of release to service has been issued for the aircraft in relation to the maintenance carried out on the aircraft.

(1) If maintenance on aircraft is carried out by maintenance organisations approved by a foreign State, the person responsible for managing continuing airworthiness for the aircraft must ensure that the organisation has procedures to issues certificate of releases to service for the aircraft in relation to the maintenance in accordance with CASR Part 42.

C.015 Compliance with airworthiness directives

The person responsible for continuing airworthiness for an aircraft must ensure that the requirements of an airworthiness directive that applies to:
(a) the aircraft; or
(b) an aeronautical product that is part of, or used in, an aircraft;
are complied with in relation to the aircraft or aeronautical product.

C.020 Approval of design for modifications or repairs to aircraft

(1) The person responsible for continuing airworthiness for an aircraft must ensure that the aircraft is not modified unless:
   (a) there is an approval under Part 21 of the CASR of the CASR for the design of the modification; and
   (b) the modification is compatible with the configuration of the aircraft at the time the modification is made.

(2) The person responsible for continuing airworthiness for an aircraft must ensure that a repair that involves a change to the approved design of the aircraft is not made unless:
   (c) there is an approval under Part 21 of the CASR of the CASR for the design of the repair; and
   (d) the repair is compatible with the configuration of the aircraft at the time the modification is made.

C.025 Dealing with certain instructions for continuing airworthiness

(1) The person responsible for continuing airworthiness for an aircraft must assess instructions for continuing airworthiness issued by the type certificate holder or supplemental type certificate of the:
   (a) aircraft; and
   (b) aircraft's engine; and
   (c) aircraft's propeller
   that require non-recurring maintenance to be carried out.

(2) Within the time specified in the instructions the person responsible for continuing airworthiness for the aircraft must:
   (a) ensure that the instruction is complied with; or
   (b) record, in writing the reason for not complying with the instruction.

Note: Examples of instructions for continuing airworthiness that must be assessed are service bulletins, service information letters etc. containing no-recurring maintenance. Instructions requiring recurring maintenance will have to be assessed for incorporation in the maintenance program.

C.030 Maintenance program

The person responsible for continuing airworthiness for an aircraft must ensure:
(a) there a maintenance program for the aircraft before the aircraft is operated is for its first flight under an AOC.
(b) the maintenance program complies with the specifications for the program set out Appendix C.1.

C.035 Approval of maintenance program

(1) If a maintenance program for an aircraft does not comply with a maintenance requirement for maintenance program for the aircraft – the person responsible for continuing airworthiness for the aircraft must ensure an approval has been issued, in accordance with Section J of this document, for not complying with the requirement.

C.040 Compliance with maintenance program

The person responsible for continuing airworthiness for an aircraft must ensure that maintenance is carried out on the aircraft as required by the maintenance program for the aircraft.

C.045 Ensuring effectiveness of the maintenance program tasks

(1) Subject to clause (3) and (4), the person responsible for continuing airworthiness for an aircraft must, at least once every 12 months:

(a) analyse the effectiveness of the maintenance tasks included in the maintenance program for the aircraft in ensuring the continuing airworthiness of the aircraft; and
(b) record the results of the analysis and information that substantiates the results of the analysis

(2) If the results of the analysis indicate that the maintenance program should be varied, the person must, within 30 days after completing the analysis vary the maintenance program.

(3) Person responsible for continuing airworthiness for the aircraft may use a reliability program:
(a) to analyse the effectiveness of the maintenance program tasks; and
(b) amend the maintenance program;
on ongoing basis instead of performing annual analysis in accordance with clause (1).

(4) If the maintenance program for an aircraft includes maintenance tasks that have been developed using MSG 3 process – the person responsible for continuing airworthiness for the aircraft must use a reliability program to:
(a) to analyse the effectiveness of the maintenance program tasks; and
(b) amend the maintenance program;
on ongoing basis instead of performing annual analysis in accordance with clause (1).

(5) The reliability program must comply with the standards for the reliability program specified in Appendix C.2

C.050 Reliability program for aircraft authorised to operate for certain types of operation

(1) The person responsible for continuing airworthiness for:
(a) an aircraft authorised for extended diversion time (EDTO) operation; or
(b) a single-engine turbine-powered aircraft authorised for operation at night and or in instrument meteorological conditions (IMC);
must use a reliability program to monitor the level of reliability of any part and system of the aircraft required under the authorisation.

(2) The reliability program must comply with the standards for the reliability program specified in Appendix C.2.

C.055 Updating maintenance program due to changes to maintenance requirements for maintenance program

If due to any change to a maintenance requirement for maintenance program for an aircraft, the aircraft's maintenance program no longer complies with the maintenance requirement – the person responsible for continuing airworthiness for the aircraft must:
(b) amend the maintenance program:
(i) if the maintenance requirements specify any period or other limitation (for example in terms of aircraft's total time in service) for amending the maintenance program – within that period or limitations; or
(i) if the maintenance requirements do not specify any period or other limitation for amending the maintenance program – before the maintenance is due for carrying out in accordance with the maintenance requirement; or
(c) ensure an approval has been issued, in accordance with Section J of this document, for not complying with the maintenance requirement, before the maintenance is due for carrying out.

Subsection C.3 - Continuing airworthiness records

C.060 Form and format of the records

The person responsible for managing continuing airworthiness for an aircraft must ensure that any information recorded or kept under this Subsection is recorded or kept:
(a) in writing; and
(b) in a form and format that would make the record to be:
(ii) permanent;
(iii) easily accessible and readable; and
(iv) protected from unintended alteration;
at all times.

Note: *The continuing airworthiness information for an aircraft recorded and kept under Subclause C.060 along with the substantiating document mentioned in clause C.065 would constitute continuing airworthiness records for the aircraft. The CASA logbooks and associated forms can be used record the continuing airworthiness information. The information may also be recorded and kept in any other hard copy format or electronic format provided the electronic these meet the requirement mentioned above.*

C.060 Information to be recorded to establish continuing airworthiness status of an aircraft

(1) The person responsible for continuing airworthiness for an aircraft must ensure following information for the aircraft is recorded to establish continuing airworthiness status of the aircraft, before the aircraft is operated for its first flight under an AOC:
(a) identity of the aircraft by:
(i) its make; and
(ii) its type and model designation; and
(iii) its registration mark; and
(iv) its serial number.
(b) for each engine or propeller fitted to the aircraft:
(i) its make;
(ii) its type and model designation;
(iii) its serial number;
(c) total time in service for aircraft, engines, propellers and any other utilisation information for the aircraft and aeronautical products fitted to the aircraft, that are used to establish the aircraft's maintenance requirements;
(d) the empty weight of the aircraft and the position of the centre of gravity on the aircraft when the aircraft is in its empty weight configuration;
(e) details of modification incorporated to the aircraft and aeronautical products fitted to the aircraft including repairs involving design change;
(f) status of compliance with airworthiness directives;
(g) status of compliance with each maintenance program task;
(h) status of any life limited part.

(2) The person responsible for continuing airworthiness for an aircraft must ensure information recorded under subclause (1) is kept up to date subsequent to any flight of the aircraft.

C.065 Substantiating documents

The person responsible for managing continuing airworthiness must keep documents that substantiate the continuing airworthiness information recorded or kept under clause C.065.

Note: Examples of substantiating document includes maintenance records, authorised release certificates for parts fitted to the aircraft, copies of flight technical log for the utilisation information.

Subsection C.4 - Flight technical log

C.065 Flight technical log

(1) The person responsible for continuing airworthiness for an aircraft must provide a document called flight technical log for the aircraft that can be used:
   (a) to record following information:
      (i) utilisation information for the aircraft and aeronautical products fitted to the aircraft that are used to establish the aircraft's maintenance requirements unless the person responsible for continuing airworthiness for an aircraft have other means of recording the information;
      (ii) details of any defect discovered during the operation of the aircraft;
      (iii) details of rectification of defect or if rectification of the defect is deferred details of deferral;
      (iv) details of maintenance carried out;
      (v) information regarding when the next maintenance is due according to the aircraft's maintenance program unless the person responsible for continuing airworthiness for the aircraft have other means for tracking this information.
   (b) to perform maintenance certification and issue certificate of release to service for the aircraft in relation to maintenance carried out

(2) The flight technical log must include identification of the aircraft, including the type, model and registration mark for the aircraft.

C.070 Availability of flight technical log

(1) The person responsible for continuing airworthiness for an aircraft must ensure that the flight technical log for the aircraft is available to:
   (a) the aircraft's flight crew; and
   (b) any person who is carrying out maintenance on the aircraft.

Subsection C.4 Retention and transfer of continuing airworthiness records

C.075 Retention of continuing airworthiness records

The person responsible for continuing airworthiness for an aircraft must ensure that following continuing airworthiness records for the aircraft are kept for the duration mentioned below for each kinds of records:
   (a) maintenance record for modification incorporated to the aircraft – for the duration the person remains the person responsible for continuing airworthiness for the aircraft;
   (b) maintenance records for maintenance carried out under the maintenance program – until such time the maintenance is carried out again;
   (c) maintenance records for maintenance that are not kept under paragraph (a) and (b) above – for 1 years from the date record was created;
   (d) a certificate of release to service for the aircraft in relation to maintenance carried out on the aircraft – for 1 year after the date of issue of the certificate;
   (e) any substantiating document required under clause C.065 that is not kept under paragraphs (a), (b), (c) and (d) above – until such time the information substantiated by the document is superseded by other information
   (f) record of information that is made in the flight technical log and that is not kept under paragraphs (a), (b), (c), (d) and (e) above – for 1 years from the date record was created.

C.065 Transfer of continuing airworthiness records for aircraft

(1) When a person ceases to be the person responsible for continuing airworthiness for an aircraft, the person must give the continuing airworthiness records for the aircraft to the new person responsible for continuing airworthiness for the aircraft**.**

(2) The record must be given within 30 day of the person ceasing to be the person responsible for continuing airworthiness for the aircraft.

Subsection C.5 - Reporting and investigation of major defects

C.080 Reporting major defects

(1) If the person responsible for continuing airworthiness for an aircraft becomes aware of a major defect in the aircraft, the person must, within 2 days after becoming aware of the defect, report the defect to:
   (a) CASA; and
   (b) if the defect does not relate to a modification mentioned in paragraph (d) – the type certificate holder for the aircraft; and
   (c) if the defect relates to the aircraft's engine or propeller but does not relate to a modification mentioned in paragraph (d) – the type certificate holder for the engine or propeller;
   (d) if the defect relates to a modification made to the aircraft for which the type certificate holder of the aircraft, engine or propeller is not holder of the design approval – the holder of the design approval for the modification;
   (e) if the defect relates to a part produced in accordance with a parts manufacturer approval – the holder of the parts manufacturer approval.

C.085 Investigating major defects

If the person responsible for continuing airworthiness for an aircraft becomes aware of a major defect in the aircraft, the person must:
   (a) investigate the cause of the defect; and
   (b) give CASA a report containing the findings of the investigation within 14 days after completing the investigation.

Appendix C.1

Reference:

…

Appendix C.2

Reference:

…

Section D Maintenance

Subsection D.1 - Preliminary

D.005 Purpose of this Section

This Section sets out:

(a) who is permitted to carry out maintenance on an aircraft and aeronautical products for the aircraft that is authorised to operate under an AOC;

(b) obligation of person who carries out maintenance including:

(i) how maintenance must be performed; and

(ii) how defects must be dealt with; and

(iii) how records of maintenance must be created and kept.

D.010 Meaning of terms used in this Section

In this Section:

holder of aircraft engineer licence means holder an aircraft engineer licence issued under Part 66 of the CASR.

holder of a pilot licence means holder a pilot licence, other than a student pilot licence, issued under Part 61 of the CASR.

independent maintainer means holder of an aircraft engineer licence or holder of pilot licence who is permitted to carry out maintenance under clause D.015.

Australian maintenance organisation means a maintenance organisation approved under CASR

foreign maintenance organisation means a maintenance organisation approved under the legislation of a state other than Australia.

critical control system maintenance means maintenance carried out on the aircraft control system that, if not carried out correctly, may result in a failure, malfunction or defect of the system that will endanger the safe operation of the aircraft.

aircraft control system means the system of the aircraft by which the flight path, attitude or propulsive force of the aircraft is changed.

Subsection D.2 - Permission to carry out maintenance

D.015 Who may to carry out maintenance on aircraft

(1) An individual may to carry out any maintenance on an aircraft on behalf of maintenance organisation approved under CASR provided the organisation has been approved to carry out maintenance on the aircraft.

(2) Outside Australian territory, an individual may carry out any maintenance on an aircraft on behalf of a foreign maintenance organisation if the organisation have been approved by a state that is listed in Appendix D.1 provided the organisation has been approved to carry out the maintenance on the aircraft.

(3) A holder of an aircraft engineer licence may to carry out any maintenance on an aircraft if:

(a) the holder may perform maintenance certification for the maintenance; and
(b) the maintenance is not specified in Appendix D.2.

(3) A holder of a pilot licence for an aircraft that authorises the holder to fly the aircraft, may carry out of maintenance on the aircraft provided:
(a) the maintenance is specified in Appendix D.3;
(b) holder has been trained by a maintenance organisation and has been authorised by the person responsible for continuing airworthiness for the aircraft to perform the maintenance based on their competency;
(c) the holder is member of the aircraft's flight crew.

D.020 Who may carry out maintenance on aeronautical products

(1) An individual may carry out any maintenance on an aeronautical product on behalf of maintenance organisations approved under CASR provided the organisation has been approved to carry out maintenance on the aircraft.

(2) Outside Australian territory, an individual may carry out any maintenance on an aeronautical product on behalf of foreign maintenance organisation if the organisation have been approved by a state that is listed in Appendix D.4 to carry out the maintenance on the aeronautical product.

Subsection D.3 – How maintenance must be carried out

D.025 General requirements for carrying out maintenance

(1) If an individual carries out maintenance on an aircraft or on an aeronautical product, the individual must:
(a) carry out the maintenance:
(i) in accordance with current applicable maintenance data for the maintenance; and
(ii) using facilities that are appropriate for carrying out the maintenance; and
(b) if tools, equipment or materials are mentioned in the maintenance data for the maintenance—use those tools, equipment or materials; and
(c) if using measuring or testing equipment—ensure that the accuracy of the equipment:
(i) is appropriate for proper completion of the maintenance to the standard required by the maintenance data; and
(ii) have been calibrated to nationally or internationally recognised standard, at appropriate intervals.

(2) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with clause (1).

D.030 Ensuring individuals are competent to carry out maintenance

(1) An individual is competent to carry out maintenance on an aircraft or aeronautical product if he or she has the skills and knowledge to carry out the maintenance to the standard required by the maintenance data for the maintenance.

(2) A maintenance organisation must ensure an individual who carries out maintenance on behalf of the organisation is either competent to carry out the maintenance or the individual is supervised by someone who is competent to carry out the maintenance.

(3) An independent maintainer must not carry out maintenance on an aircraft unless the independent maintainer is competent to carry out the maintenance.

D.035 Maintenance involving changes to the approved design

(1) If an individual on behalf of a maintenance organisation or an independent maintainer, carries out:
   (a) a modification to the aircraft or aeronautical product; or
   (b) a repair of the aircraft or aeronautical product that involves a change to the approved design for the aircraft or aeronautical product;

the maintenance organisation or the independent maintainer must, before a certificate of release to service is issued for the aircraft or aeronautical product in relation to the maintenance, ensure that:

   (c) there is an approval under Part 21 of the CASR for the design of the modification or repair; and
   (d) the modification or repair complies with the design.

D.040 Removal of tools etc after carrying out maintenance

(1) An individual who carries out maintenance on an aircraft or aeronautical product, must remove from the aircraft or aeronautical product any tools, equipment or other things extraneous to the aircraft or the aeronautical product before a certificate of release to service is issued for the aircraft or aeronautical product in relation to the maintenance.

(2) A maintenance organisation must ensure that an individual who carries out maintenance on its behalf complies with clause (2).

D.045 Independent verification of critical control system maintenance

(1) If an individual on behalf of a maintenance organisation or an independent maintainer, carries out critical control system maintenance on an aircraft, the maintenance organisations or the independent maintainer must, before a certificate of release to service is issued for the aircraft in relation to the maintenance, ensure that an independent individual has:
   (a) verified that:
      (i) part of the aircraft control system on which the maintenance was carried out is assembled and configured in accordance with the maintenance data for the maintenance; and
      (ii) the aircraft control system is functioning correctly; and
   (b) made a record of the verification stating that the individual has verified the matters mentioned in paragraph (1)(a) and
   (c) included the following information in the record:
      (i) information identifying the critical control system maintenance to which the verification relates;
      (ii) the individual's name and licence or certification authorisation number;
      (iii) the date the verification was performed; and
   (d) signed the record.

(2) The independent individual who performs verification of critical control system maintenance carried out on an aircraft must be:
   (a) an individual who has not performed the maintenance certification for the critical control system maintenance; and
   (b) if the maintenance is carried out by individual on behalf of a maintenance organisation – authorised by the maintenance organisation to perform the independent inspection; or
   (c) if the maintenance is carried out by an independent maintainer – one of following:
      (i) holder of an aircraft engineer licence who may perform maintenance certification for the critical control system maintenance.
      (ii) holder of an aircraft engineer licence who may perform maintenance certification for similar critical control system maintenance on an aircraft having control system of similar technology and construction.

(d) holder of a pilot licence for the aircraft that authorises the holder to fly the aircraft, provided:
  (i) the holder has been trained by a maintenance organisation and has been authorised by the person responsible for continuing airworthiness for the aircraft to perform the independent inspection based on their competency;
  (ii) and is member of the aircraft's flight crew.

Subsection D.4 – Dealing with defects

D.050 Recording defects

(1) If an individual becomes aware of a defect in an aircraft, while the individual is carrying out maintenance on the aircraft, the individual must ensure that the defect is recorded:
  (a) in the aircraft's flight technical log; or
  (b) if the maintenance is being carried out by an individual on behalf of a maintenance organisation – in the worksheet used by the maintenance organisation to record maintenance; or
  (c) if the maintenance is being carried out by an independent maintainer in the worksheet used by the independent maintainer to record maintenance

before a certificate of release to service is issued for the aircraft in relation to the maintenance.

(2) Requirement record defect as mentioned in cluse (1) does not apply to a superficial defect.

(3) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with clause (1).

D.055 Deferring rectification of defect

(1) If there is defect in an aircraft, a holder of an aircraft engineer licence may defer the rectification of the defect if the holder would be able to perform maintenance certification for the rectification of the defect and if the deferral is permitted under cluse (2).

(2) The rectification of the defect may be deferred if:
  (a) the operation of the aircraft with the defect is permitted by:
    (i) the instructions for continuing airworthiness for the aircraft; or
    (ii) the minimum equipment list for the aircraft; or
    (iii) the flight manual for the aircraft; or
    (iv) a special flight permit; or
    (v) an airworthiness directive; or
    (vi) an approval under regulation 21.007 of CASR which deals with permissible unserviceability; or
    (vii) any other provision of the CASR; or
  (b) the defect does not adversely affect the safe operation of the aircraft and is in an equipment or a system of the aircraft that is not required:
    (i) the certification basis for the aircraft; and
    (ii) under Parts 133 and 135 of CASR; or
  (c) the defect is superficial.

(2) To defer the rectification of the defect the qualified individual must:
  (a) make a record that includes the following information:
    (i) a description of the defect;

(ii) the basis for deferring the rectification of the defect;
(iii) any conditions or limitations that applies to the operation of the aircraft with the defect;
(iv) the date of deferral;
(v) the individual's name and licence or certification authorisation number; and

(b) sign the record.

D.060 Reporting major defects

(1) If an independent maintainer becomes aware of a major defect in an aircraft, while the independent maintainer is carrying out maintenance on the aircraft – the independent maintainer must report the defect to the person responsible for continuing airworthiness for the aircraft.

(3) A maintenance organisation that becomes aware of a major defect must:
(a) if the defect is found while carrying maintenance on an aircraft – report the defect to the person responsible for continuing airworthiness for the aircraft.
(b) if the defect is found while carrying maintenance on an aeronautical product – report the defect to CASA.

(3) The independent maintainer or maintenance organisation must report the major defect within 2 days after the person becomes aware of the defect.

Subsection D.5 – Maintenance records

D.065 Recording maintenance information for aircraft

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aircraft, the maintenance organisations must ensure that the information mentioned in clause (3) is recorded in accordance with clause (4), before the organisation issues a certificate of release to service for the aircraft in relation to the maintenance

(2) If an independent maintainer carries out maintenance on an aircraft, the independent maintainer must record the information mentioned in clause (3) in accordance with clause (4), before the independent maintainer issues a certificate of release to service for the aircraft in relation to the maintenance

(3) Following information must be recorded in relation the maintenance carried out:
(a) the registration mark for the aircraft;
(b) the date on which the maintenance was completed;
(c) a description of the maintenance;
(d) reference to the maintenance data used;
(e) description, part number and serial number of any part fitted, including any of the following information as applicable:
(i) reference to authorised release certificate or an equivalent document;
(ii) if the fitted part was removed from another aircraft – information identifying the aircraft from which the part was removed
(iii) if the fitted part was fabricated in course of maintenance –the maintenance record for the fitment of the part includes a statement that the part has been fabricated during maintenance;
(f) if the maintenance is a modification or repair involving a change to the approved design for the aircraft – information identifying the design of the modification or repair;

(4) The information must be recorded:
(a) in the aircraft's flight technical log; or
(b) if the maintenance is being carried out by an individual on behalf of a maintenance organisation – in the worksheet used by the maintenance organisation to record maintenance; or
(c) if the maintenance is being carried out by an independent maintainer in the worksheet used by the independent maintainer to record maintenance
before a certificate of release to service is issued for the aircraft in relation to the maintenance.

D.070 Recording maintenance information for aeronautical products

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aeronautical product, the maintenance organisations must ensure that the following information is recorded in accordance with clause (2), before the organisation issues a certificate of release to service for the aircraft in relation to the maintenance:
(a) identification information including description, part number and serial number of the aeronautical product:
(b) the date on which the maintenance was completed;
(c) a description of the maintenance;
(d) reference to the maintenance data used;
(e) description, part number and serial number of any part fitted, including reference to authorised release certificate or an equivalent document if applicable.

D.075 Providing of maintenance record and other documents to the person responsible for continuing airworthiness for the aircraft

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aircraft, the maintenance organisations must ensure that the maintenance record for the maintenance is given to the person responsible for continuing airworthiness for the aircraft, within 30 days after the organisation issues a certificate of release to service for the aircraft in relation to the maintenance.

(2) If an independent maintainer carries out maintenance on an aircraft, the independent maintainer must give the maintenance record for the maintenance to the person responsible for continuing airworthiness for the aircraft, within 30 days after the organisation issues a certificate of release to service for the aircraft in relation to the maintenance.

D.080 Retention of copy of maintenance record by maintenance organisations

(1) A maintenance organisation must keep maintenance records for the maintenance it has carried on aircraft or aeronautical product for 2 years after the organisation issued the certificate of release to service for the aircraft or aeronautical product in relation to the maintenance.

(2) An independent maintainer must keep maintenance records for the maintenance he or she has carried on aircraft for 2 years after the independent maintainer issued the certificate of release to service for the aircraft in relation to the maintenance.

Appendix D.1

For the purpose of clause D.010 an individual may carry out any maintenance on an aircraft on behalf of a foreign maintenance organisation if the organisation has been approved by any of the following states:
(a) Canada
(b) EASA member States
(c) New Zealand
(d) Singapore
(e) USA

Appendix D.2

…

Appendix D.2

…

Appendix D.4

For the purpose of clause D.010 an individual may carry out any maintenance on an aircraft on behalf of a foreign maintenance organisation if the organisation has been approved by any of the following states:
(f) Canada
(g) EASA member States
(h) New Zealand
(i) Singapore
(j) USA

Section E Use of parts and materials during maintenance

Subsection E.1 Preliminary

E.005 Purpose of this Section

(1) This Section sets out requirements for:
- (a) fitting parts to, and using materials in, aircraft and aeronautical products during maintenance; and
- (b) the control of unserviceable and unsalvageable parts; and
- (c) the control of unapproved parts.

E.010 Meaning of terms used in this Section

(1) In this Section:

an in house release document means…..

new part means the part has not been used in an aircraft and has not any maintenance carried out since its manufacture.

(2) A part is ***eligible to be fitted*** to an aircraft or another aeronautical product if the fitting is permitted:
- (a) by the approved design for the aircraft or the aeronautical product; or
- (b) by a parts manufacturer approval acceptable (PMA) under Part 21 of CASR.

(3) A material is ***eligible to be used*** in or on an aircraft or an aeronautical product if the use is permitted:
- (a) by the approved design for the aircraft or the aeronautical product; or
- (b) by maintenance data for maintenance to be carried out on the aircraft or aeronautical product.

(4) A part is ***unapproved*** if:
- (a) the part is counterfeit; or
- (b) the design of the part has not been approved in accordance with Part 21 of the CASR; or
- (c) the part has been produced other than in accordance with an authorisation granted by a civil aviation authority of a State; or
- (d) maintenance has been carried out on the part other than in accordance with an authorisation granted civil aviation authority of a State; or
- (e) the part has been modified other than in accordance with a design approved under Part 21 of the CASR;
- (f) the part is unserviceable or unsalvageable and has been fraudulently represented as serviceable; or
- (g) the part is accompanied by a fraudulent document

Subsection E.1 Fitting parts and using materials

E.015 Fitting parts - general requirement

(1) An individual who is carrying maintenance on an aircraft or aeronautical product must not fit a part to the aircraft or the aeronautical product unless**:**
- (a) the part is eligible to be fitted to the aircraft or aeronautical product; and
- (b) for a part that has been stored:

(i) the storage was in accordance with the instructions (if any) issued by the manufacturer of the part in relation to storage; and
(ii) the storage life for the part, if any, specified by the manufacturer of the part, has not expired; and
(a) the part can be fitted under clause E.010.

(3) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with subclause (1).

E.020 Fitting parts – traceability and authenticity requirement

(1) Subject to clause E.010, a new part may be fitted to an aircraft or aeronautical product:
(a) if the part is not a standard part - an authorised release certificate has been issued for the part in relation to its manufacture; or
(b) if the part is a standard part – the part is accompanied by:
(i) information that identifies the specification with which the part complies; and
(ii) evidence that the standard part complies with the specification; and
(iii) information that allows the part to be traced to its manufacturer; or
(c) if the part has been fabricated by a maintenance organisation – the maintenance record for fitting the part includes a statement that the part has been fabricated during maintenance; and

(2) A part on which maintenance has been carried out may be fitted to an aircraft or aeronautical product if:
(a) the part has not been used in an aircraft since the maintenance was carried out; and
(b) an authorised release certificate or equivalent document has been issued for the part in relation to the maintenance.

(3) A part which has been removed from an aircraft or aeronautical may be fitted to the same aircraft or aeronautical product if:
(a) the part has not been used on an aircraft since its removal; and
(b) no maintenance has been carried out on the part since its removal; and
(c) the maintenance record for fitting the part includes a statement that the part has been removed from and fitted to the same aircraft and aeronautical product.

(3) A part which has been removed from an aircraft may be fitted to another aircraft or aeronautical product if:
(a) no maintenance has been carried out on the part since its removal; and
(b) an authorised release certificate has been issued for the part in accordance with XXXX in confirming that the part has been removed in a serviceable condition from the aircraft.

(3) A part which has been removed from a registered aircraft may be fitted to another aircraft or aeronautical product if:
(a) at the time the part was removed, a standard certificate of airworthiness was in force for the aircraft; and
(b) the part has been removed from the aircraft by an individual on behalf of a maintenance organisation or an independent maintainer who was permitted under these Regulations to carry out maintenance that involves removal of the part; and
(c) the part is fitted by the same maintenance organisation or the independent maintainer that removed the part; and
(d) no maintenance has been carried out on the part since its removal; and
(e) the aircraft from which the part has been removed did not suffer an accident or incident that may have caused the part to degrade or deteriorate;
(f) the life limit (if any) for the part has not been exceeded;

(g) the person responsible for continuing airworthiness for the aircraft agrees to the fitting of the part to their aircraft
(h) the maintenance record for fitting the part identifies the aircraft from which the part was removed.

E.025 Using materials – traceability and authenticity requirement

(1) An individual who is carrying out maintenance on an aircraft or aeronautical product must not use a material in or on an aircraft or aeronautical product unless:
(a) the material is eligible to be used in or on the aircraft or aeronautical product; and
(b) the material is accompanied by:
(i) information that identifies the specification with which the material complies; and
(ii) evidence that the material complies with the specification; and
(iii) information that allows the material to be traced to its manufacturer; and
(a) the material appears to be in a satisfactory condition; and
(b) if the manufacturer of the material has specified a storage life for the material—the storage life for the material has not expired.

(2) An approved maintenance organisation must ensure that an individual who carries out maintenance on its behalf complies with subclause (1).

Subsection E.3 Controlling unserviceable and unsalvageable parts

E.025 Control of unserviceable parts

(1) If a maintenance organisation or an independent maintainer have in their possession an unserviceable part, the organisation or the independent maintainer must within 2 days after the becoming aware of unserviceability of the part:
(a) ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) that the part is unserviceable;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unserviceable; and
(b) store the part separately from serviceable aeronautical products and in a secure location.

E.025 Control of unserviceable parts

(1) If a maintenance organisation or an independent maintainer have in their possession an unserviceable part, the organisation or the independent maintainer must within 2 days after the becoming aware of unserviceability of the part:
(a) ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) that the part is unsalvageable;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unserviceable; and
(b) store the part separately from serviceable aeronautical products and in a secure location; or
(c) if the organisation or independent maintainer is not the owner of the part—give the part to the owner of the part; or

(d) ensure that parts is mutilated, in a manner to prevent its use aviation.

(2) If the owner of a part receives the part under paragraph (1)(b), the owner must, within 3 days of receiving the part:
(a) store the part separately from serviceable aeronautical products and in a secure location; or
(b) ensure that parts is mutilated, in a manner to prevent its use aviation.

Subsection E.4 Controlling and reporting of unapproved part

E.30 Control of unapproved parts

If a person becomes aware that a part is unapproved, the person must within 2 days after the becoming aware of the approved part:
(a) if the person has possession of the part - ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) that the part is unapproved;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unapproved; and
(b) if the person has possession of the part - store the part, and any documents that accompanied the part, separately from serviceable aeronautical products and in a secure location; and
(c) submit a report about the part in accordance with clause E.035.

E.035 Reporting unapproved parts

(1) A person who is required report about an unapproved part under subclause E.30(c), must submit the report it to:
(a) CASA; and
(b) if the part is or was fitted to an aircraft - the person responsible for continuing airworthiness for the aircraft.

(2) If CASA receives a report about a unapproved part, CASA may:
(a) require the person who made the report to give CASA further information in relation to the part; or
(b) notify the person who has the possession of the unapproved part that the part does not have to be kept.

E.035 Action required if an unapproved part is not required to be kept

(1) A person who is who has the possession of the unapproved part is notified by CASA that the part does not have to be kept, the person must, within 2 days after receiving the notification:
(a) if the person is not the owner of the part - give the part to the owner of the part; or
(b) store the part, and any documents that accompanied the part, separately from serviceable aeronautical products and in a secure location; or
(c) ensure that part is mutilated, in a manner to prevent its use aviation.

(2) If the owner of a part receives the part under paragraph (1)(b), the owner must, within 3 days of receiving the part:
(a) store the part separately from serviceable aeronautical products and in a secure location; or
(b) ensure that parts is mutilated, in a manner to prevent its use aviation.

Subpart 42.G—Continuing airworthiness management organisations

Section H Maintenance certification and certificate of release to service

Subsection H.1 Preliminary

H.005 Purpose of this Section

This Section sets out requirements for the performance of maintenance certification and the issue of certificates of release to service when maintenance has been carried out.

Subsection H.2 Maintenance certification for aircraft and aeronautical product

H.010 Who must perform maintenance certification and when it must be performed

(1) If the maintenance is carried out by a maintenance organisation, the organisation must ensure that maintenance certification for the maintenance is performed by an individual authorised by the organisation:
- (a) whose authorisation permits him or her to perform maintenance certification for the maintenance; and
- (b) who carried out the maintenance, or supervised the carrying out of the maintenance by another individual; and
- (c) before the organisation issues a certificate of release to service for the aircraft or aeronautical product in relation to the maintenance.

(2) If the maintenance is carried out by an independent maintainer, the independent maintainer must perform maintenance certification for the maintenance before the independent maintainer issues a certificate of release to service for the aircraft in relation to the maintenance.

H.015 Requirements to be met before performing maintenance certification.

(1) An individual must not perform maintenance certification for the maintenance unless he or she has ensured that the maintenance has been carried out in accordance the requirements:
- (a) set out in Section D of this document; and
- (b) if the maintenance has been performed by a maintenance organisation - any additional requirements that applies to maintenance organisation in relation to carrying out maintenance; and
- (c) details of maintenance carried out on the aircraft or aeronautical product has been recorded as required by Subsection D.5.

(2) A maintenance organisation must ensure that an individual who performs maintenance certification on its behalf complies with subclause (1).

(3) An individual must not issue maintenance certification for the maintenance unless the requirements mentioned in subclause (1) are met.

H.020 How maintenance certification is performed

To perform maintenance certification for the maintenance, an individual must:
- (a) sign the record that created under Subsection D.5 that contains the details of maintenance carried out on the aircraft or aeronautical product; and
- (b) enter the following information in the record:
  - (i) the date of the maintenance certification; and
  - (ii) if he or she carried out the maintenance on behalf of a maintenance organisation - his or her authorisation number issued by the organisation; and

(iii) if he or she carried out the maintenance as an independent maintainer - his or her aircraft engineer licence number, pilot licence number or flight engineer licence number.

Subsection H.2 Certificate of release to service for aircraft

H.020 Who may certificate of release to service for aircraft

(1) If maintenance is carried out on an aircraft by a maintenance organisation, the organisation may issue a certificate of release to service for the aircraft in relation to the maintenance.

(2) If a maintenance organisation issues the certificate of release to service for the aircraft in relation to the maintenance, the organisation must ensure the certificate is issued, on behalf of the organisation by an individual:
(a) authorised by the organisation: and
(a) whose authorisation permits him or her to issue the certificate of release to service.

(3) If the maintenance is carried out on an aircraft by an independent maintainer, the independent maintainer may issue a certificate of release to service for the aircraft in relation to the maintenance.

H.020 Requirements to be met for issuing certificate of release to service for aircraft

(1) A maintenance organisation or independent maintainer must not issue a certificate of release to service for an aircraft in relation to maintenance the organisation or independent maintainer has carried out on the aircraft, unless the following requirements are met:
(a) the organisation or independent maintainer has finished carrying out the maintenance;
(b) maintenance certification has been performed for all of the maintenance;
(c) if the maintenance included critical control system maintenance - an independent verification of the critical control system maintenance has been performed;
(d) if there is a defect in the aircraft, and the rectification of the defect has not been deferred:
(i) the certificate includes details of the defect;
(ii) the person responsible for continuing airworthiness for the aircraft has been notified that there is a defect in the aircraft, and the rectification of the defect has not been deferred; and
(e) if maintenance requested for the aircraft, other than the defect mentioned in paragraph (c) has not been carried out:
(i) the certificate includes details of the maintenance that has not been carried out; and
(ii) the person responsible for continuing airworthiness for the aircraft has been notified that the maintenance requested for the aircraft has not been carried out.
(f) the form and content of the certificate complies with clause H.45;

(2) An individual must not issue a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft unless the requirements mentioned in subclause (1) are met.

H.025 Form and content of certificate of release to service

(1) A certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft must include the following information:
(a) information identifying the certificate as a certificate of release to service;
(b) the aircraft's registration mark;

(c) if the maintenance was carried out by a maintenance organisation—the organisation's approval certificate reference number and the authorisation number of the employee issuing the certificate;
(d) if the maintenance was carried out by an independent maintainer —the name and licence number of the individual issuing the certificate.

(2) The certificate must be included in the flight technical log for the aircraft.

H.40 How certificate of release to service is issued

To issue a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft, an individual must:
(a) sign the certificate; and
(b) record the date and time of issue on the certificate**.**

H.045 Retaining copy of certificate of release to service

If a maintenance organisation issues certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft, the organisation must ensure that a copy of the certificate is retained for 1 year from on the date the certificate is issued.

Subsection H.3 Certificate of release to service for aeronautical products

H.050 Obligation not to release aeronautical product without certificate of release to service

(1) If a maintenance organisation carries out maintenance on an aeronautical product on, the organisation must not release the product for use in an aircraft or another aeronautical product unless the organisation has issued a certificate of release to service for the aeronautical product in relation to the maintenance.

H.055 Who may issue certificate of release to service

(1) If maintenance is carried out on aeronautical product by a maintenance organisation, the organisation may issue a certificate of release to service for the aircraft in relation to the maintenance.

(2) If a maintenance organisation issues the certificate of release to service for the aircraft in relation to the maintenance, the organisation must ensure the certificate is issued, on behalf of the organisation by an individual:
(a) authorised by the organisation: and
(b) whose authorisation permits him or her to issue the certificate of release to service.

H.020 Requirements to be met for issuing certificate of release to service for aircraft

(1) A maintenance organisation must not issue issues a certificate of release to service for an aeronautical product in relation to maintenance the organisation has carried out on the product, unless the following requirements are met:
(a) the organisation has finished carrying out the maintenance;
(b) maintenance certification has been performed for all the maintenance carried out on the product;

(c) the product is serviceable or if the product is not serviceable, the certificate includes reason for unserviceability;
(d) the form and content of the certificate complies with clause H.55;

H.055 Form of certificate of release to service

A certificate release to service for an aeronautical product must be issued in approved form and must include all the information required in the approved form.

H.060 How certificate of release to service is issued

To issue a certificate of release to service on behalf of an approved maintenance organisation for an aeronautical product in relation to maintenance carried out on the product, an individual must:
(a) sign the certificate; and
(b) record the date of issue on the certificate.

H0.65 Dealing with certificate of release to service

If an approved maintenance organisation issues a certificate of release to service for an aeronautical product in relation to maintenance carried out on the product, the organisation must:
(a) give the certificate to the person to whom the product is released for use in an aircraft or another aeronautical product; and
(b) retain a copy of the certificate for 2 years from date the certificate is issued.

Section I Airworthiness reviews and airworthiness review certificates

Subsection I.1 Preliminary

H.005 Purpose of this Section

This Section sets out how airworthiness review is carried out and airworthiness review certificates is issued.

Division I.2—Issue of airworthiness review certificates

H.010 Who may issue airworthiness review certificate

(1) The person responsible for continuing airworthiness for an aircraft may issue an airworthiness review certificate for the aircraft.

(2) If a person responsible for continuing airworthiness for an aircraft issues an airworthiness review certificate for the aircraft, the person must ensure that the certificate is issued on behalf of the person by an individual:
(a) who is authorised by the person for this purpose, having met qualification requirements set out in Appendix XX; and
(b) whose authorisation him or her to issue an airworthiness review certificate for the aircraft.

Requirements to be met for issue of airworthiness review certificate

Annex 2 Continuing airworthiness policies for air transport operation under Parts 133 and 135 of CASR

Purpose of this Annex

Annex 2 sets out continuing airworthiness policies, including policies for carrying out maintenance, for aircraft and aeronautical products for those aircraft authorised to operate under Parts 133 and 135 of CASR.

Application of proposed policies in this document

The proposed policies in this document apply to the following persons:
(a) AOC holders for aircraft that are authorised to operate under Parts 133 or 135 of CASR;
(b) persons responsible for continuing airworthiness for an aircraft that authorised to operate under Parts 133 or 135 of CASR;
(c) persons who carry out maintenance on an:
  (i) aircraft authorised to operate under an AOC;
  (ii) aeronautical products for aircraft that are authorised operate under an AOC.

Section A Preliminary

A.001 Meaning of terms used in this document

(1) In this document:

AOC means an air operator's certificate that authorises the operation of an aircraft under Parts 133 or 135 of CASR.

AOC holder for an aircraft means an AOC holder who is authorised to operate the aircraft under the AOC.

continuing airworthiness management tasks means continuing airworthiness management tasks set out in Subsection C.2 of this document.

person responsible for continuing airworthiness for an aircraft means the person who is responsible for performing continuing airworthiness management tasks for the aircraft.

(2) A ***maintenance organisation carries out maintenance*** if the maintenance is carried by an individual on behalf of the organisation.

(3) Reference to ***carrying out maintenance on an aircraft*** includes:
  (a) carrying out maintenance on an aeronautical product that is fitted to the aircraft at the time the maintenance is carried out; and
  (b) carrying out maintenance on an aeronautical product that is not fitted to the aircraft at the time the maintenance is carried out, provided:
    (i) the product is removed from the aircraft and is installed back to the same location on the aircraft after the maintenance;
    (ii) the maintenance data for the maintenance does not require the use of special tools, equipment and dedicated workshop facilities for carrying out the maintenance;
    (iii) the product does not require bench test and the serviceability can be tested on the aircraft in accordance with the applicable maintenance data;

(iv) competency to carry out the maintenance is covered by the usual competency requirements for an aircraft maintenance licence holder.

(4) ***carrying out maintenance on an aeronautical product*** is a reference to carrying out maintenance on an aeronautical product that is not fitted to an aircraft at the time the maintenance is carried out, with the exception mentioned in paragraph (1)(b) above.

Section B Continuing airworthiness responsibility of an AOC holder

B.01 Purpose of this Section

This Section sets out the continuing airworthiness responsibilities of an AOC holder for an aircraft.

B.02 Responsibility for ensuring airworthiness of an aircraft

An AOC holder for an aircraft is responsible for:

(a) if the AOC holder is the person responsible for continuing airworthiness for the aircraft – performing of the continuing airworthiness management tasks; or

(b) if the AOC holder has nominated another person as the person responsible for continuing airworthiness for the aircraft – ensuring proper performance of the continuing airworthiness management tasks by the person responsible for continuing airworthiness for the aircraft; and

(c) ensuring airworthiness of the aircraft before the aircraft is operated for a flight under the AOC.

Note: *Continuing airworthiness management tasks for an aircraft are specified in Subsection C.2 of this document.*

B.03 Person responsible for continuing airworthiness for an aircraft

(1) If an aircraft is authorised to operate under one AOC, the AOC holder will be the person responsible for continuing airworthiness for the aircraft unless the AOC holder nominates another person (individual or organisation) for this role.

(2) If an aircraft is authorised to operate under more than one AOCs, the AOC holders must mutually nominate:

(a) one of the AOC holders; or

(b) another person who is not one of the AOC holders;

as the person responsible for continuing airworthiness for the aircraft.

(3) If an AOC holder for an aircraft is the person responsible for continuing airworthiness for the aircraft, the AOC holder will be:

(a) assessed by CASA for having the capability set out in Section G of this document; and

(b) be approved;

as part of the approval of the AOC, to perform the continuing airworthiness management tasks for the aircraft.

(4) If an AOC holder for an aircraft nominates another person as the person responsible for continuing airworthiness for the aircraft, the AOC holder must ensure the person has been:

(a) assessed by CASA for having the capability set out in Section G of this document.

(b) approved;

to perform continuing airworthiness management tasks for the aircraft.

(6) If an AOC holder for an aircraft nominates another person including another AOC holder as the person responsible for continuing airworthiness for the aircraft – the AOC holder (who is not the person responsible for continuing airworthiness) will be:

(a) assessed by CASA for having the minimum capability set out in Section G; and

(b) be approved;

as part of the approval of the AOC to be able to meet their obligation under paragraph B.02(1)(b) and (c).

B.04 Contract with the person responsible for continuing airworthiness for an aircraft

(1) If an AOC holder for an aircraft nominates another person including another AOC holder as the person responsible for continuing airworthiness for the aircraft – the AOC holder must have a written contract with the person responsible for continuing airworthiness for the aircraft, setting out the obligation of each parties for:

(a) proper performance of the continuing airworthiness management tasks; and

(b) ensuring airworthiness of the aircraft before the aircraft is operated for a flight under the AOC.

(2) The form and the content of the contract must comply with the specification for the contract set out in Appendix B.1.

(3) The AOC holder must give CASA a copy of the contract within 14 days after the contract has been made.

(4) If a provision of the contract dealing with continuing airworthiness for the aircraft is varied – the AOC holder must give CASA a copy of the varied provision within 14 days after the variation has been made.

(5) If the contract is terminated, the AOC holder must give CASA written notice of the termination within 14 days after the contract is terminated.

(6) If the AOC holder becomes aware that the person responsible for continuing airworthiness for the aircraft has contravened a requirement in relation to performing continuing airworthiness tasks for the aircraft, AOC holder must give CASA written notice of the contravention within 7 days after the AOC holder becomes aware of the contravention.

B.05 Ensuring airworthiness review certificate for an aircraft is in force

Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure that the airworthiness review certificate for the aircraft is in force.

B.06 Ensuring certificate of release to service for maintenance on carried on an aircraft has been issued

Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure that a certificate of release to service has been issued for the aircraft in relation to the maintenance carried out on the aircraft since the aircraft last operated for a flight.

B.07 Ensuring availability of operational or emergency equipment for a for a flight

Before an aircraft is operated for a flight, the AOC holder for the aircraft must ensure each item of operational or emergency equipment that is required under Parts 133 or 135 CASR for the flight, is fitted to the aircraft and is serviceable.

Note: *Parts 133 and 135 of the CASR and the associated Manual of Standards sets out the requirements for operational or emergency equipment.*

B.08 Responsibility for operating an aircraft for a flight with defect

(1) Before an aircraft is operated for a flight with a defect, the AOC holder for the aircraft must ensure:

(a) that the rectification of the defect has been deferred by a:

(i) a maintenance person in accordance with Section in D of this document; or

(ii) the pilot in command for a flight of the aircraft in accordance with Section M of this document; and

(b) record of deferral of the rectification exist as per subclause (2); and
(c) the record of deferral is in force.

Note 1: *Section D specifies the qualification of a maintenance person who may defer rectification of a defects, the circumstances under which the person may defer the defect and how the record of deferral of the rectification must be made. Section M specifies the circumstances under which a pilot in command for a flight of an aircraft may defer the rectification of a defect and how the record of deferral must be made.*

Note 1: *Deferral of rectification of a defect may be valid for certain number of days or for certain flight hours etc. after record of deferral is made. This will be mentioned in the record of deferral. The record of deferral will no longer be in force if the days or for flight hours has elapsed.*

(2) The record of deferral of rectification of the defect must be in the flight technical log for the aircraft if the operation of the aircraft for a flight with the defect is:
(a) permitted by the aircraft's minimum equipment list or the flight manual; or
(b) subject to any condition and limitations mentioned in the record of deferral.

(3) If the record of deferral of rectification of the defect mentions that the operation of the aircraft for a flight is permitted subject to any condition and limitation – the AOC holder must ensure those conditions and limitations are observed.

(4) Subclause (1) does not apply to a superficial defect.

B.09 Ensuring maintenance on aircraft or aeronautical product is carried out by appropriate person

(1) An AOC holder for an aircraft must ensure that any maintenance on the aircraft is carried out by a person who is permitted to carry out the maintenance under Section D.

(2) An AOC holder for an aircraft must ensure maintenance required to be carried out on an aeronautical product for the aircraft is carried out by a person who is permitted to carry out the maintenance under Section D.

Appendix B.1

Reference: Subclause B.04(2)

A contract between the AOC holder for an aircraft authorised by the AOC and the person responsible for continuing airworthiness for the aircraft must be in writing and include provisions dealing with the following matters:

(a) the details of the aircraft covered by the contract, including the registration mark, type, model, and serial number for the aircraft;
(b) the AOC holder's name and address;
(c) name, address and approval reference number of the person responsible for continuing airworthiness for the aircraft;
(d) the continuing airworthiness management tasks for which the person responsible for continuing airworthiness for the aircraft is responsible.
(e) the information that the AOC holder will give to the person responsible for continuing airworthiness for the aircraft, to ensure proper accomplishment of the continuing airworthiness tasks;
(f) the information that the person responsible for continuing airworthiness will give to AOC holder, to ensure aircraft is airworthy before a flight;

(g) how the information mentioned in paragraphs (e) and (f) will be provided by each party;
(h) the date of effect of the contract.

Section C Continuing airworthiness management

Subsection C.1 - Preliminary

C.01 Purpose of this Section

This Section sets out the continuing airworthiness responsibilities of the person responsible for continuing airworthiness for an aircraft that is authorised to operate under an AOC.

C.02 Meaning of terms used in this Section

(1) In this Section:
maintenance requirements for maintenance program, for an aircraft means
the instructions for continuing airworthiness for the aircraft, or an aeronautical product fitted to the aircraft, that specifies schedule maintenance requirements for the aircraft and aeronautical product.

(2) A maintenance program for an aircraft is considered to ***comply with a maintenance requirement for maintenance program*** for the aircraft, if:
(a) the maintenance program includes the maintenance requirement; and
(b) the scope and extent of the maintenance requirement in the program is not less than the corresponding scope and extent in the maintenance requirement for maintenance program; and
(c) the maintenance interval for the maintenance requirement in the program is not less restrictive than the corresponding maintenance interval in the in the maintenance requirement for maintenance program; and
(d) the method and technique for carrying out the maintenance requirement in the maintenance program is same as the method and technique in the in the maintenance requirement for maintenance program.

Subsection C.2 - Continuing airworthiness management tasks

C.03 Ensuring certificate of release to service for maintenance carried on an aircraft has been issued

(1) After completion of all the maintenance on an aircraft and before the aircraft is operated for a flight, the person responsible for managing continuing airworthiness for the aircraft must ensure that a certificate of release to service has been issued for the aircraft in relation to the maintenance carried out on the aircraft.

(2) If maintenance on aircraft is carried out by maintenance organisations approved by a foreign State, the person responsible for managing continuing airworthiness for the aircraft must ensure that the organisation has procedures to issues certificate of releases to service for the aircraft in relation to the maintenance in accordance with Section H of this document.

C.04 Compliance with airworthiness directives

The person responsible for continuing airworthiness for an aircraft must ensure that the requirements of an airworthiness directive that applies to:
(a) the aircraft; or
(b) an aeronautical product that is part of, or used in, an aircraft;
are complied with in relation to the aircraft or aeronautical product.

C.05 Approval of design for modifications or repairs to aircraft

(1) The person responsible for continuing airworthiness for an aircraft must ensure that the aircraft is not modified unless:
   (a) there is an approval under Part 21 of the CASR of the CASR for the design of the modification; and
   (b) the modification is compatible with the configuration of the aircraft at the time the modification is made.

(2) The person responsible for continuing airworthiness for an aircraft must ensure that a repair that involves a change to the approved design of the aircraft is not made unless:
   (c) there is an approval under Part 21 of the CASR of the CASR for the design of the repair; and
   (d) the repair is compatible with the configuration of the aircraft at the time the modification is made.

C.06 Dealing with certain instructions for continuing airworthiness

(1) The person responsible for continuing airworthiness for an aircraft must assess instructions for continuing airworthiness issued by the type certificate holder or supplemental type certificate of the:
   (a) aircraft; and
   (b) aircraft's engine; and
   (c) aircraft's propeller
   that require non-recurring maintenance to be carried out.

(2) Within the time specified in the instructions the person responsible for continuing airworthiness for the aircraft must:
   (a) ensure that the instruction is complied with; or
   (b) record, in writing the reason for not complying with the instruction.

Note: Examples of instructions for continuing airworthiness that must be assessed are service bulletins, service information letters etc. containing no-recurring maintenance. Instructions requiring recurring maintenance will have to be assessed for incorporation in the maintenance program.

C.07 Maintenance program

The person responsible for continuing airworthiness for an aircraft must ensure:
(a) there a maintenance program for the aircraft before the aircraft is operated is for its first flight under an AOC.
(b) the maintenance program complies with the specifications for the maintenance program set out Appendix C.1.

C.08 Approval of a maintenance program

If a maintenance program for an aircraft does not comply with a maintenance requirement for maintenance program for the aircraft – the person responsible for continuing airworthiness for the aircraft must ensure an approval has been issued, in accordance with Section J of this document, for not complying with the requirement.

C.09 Compliance with a maintenance program

The person responsible for continuing airworthiness for an aircraft must ensure that maintenance is carried out on the aircraft as required by the maintenance program for the aircraft.

C.10 Ensuring effectiveness of the maintenance program tasks

(1) Subject to clauses (3) and (4), the person responsible for continuing airworthiness for an aircraft must, at least once every 12 months:

(a) analyse the effectiveness of the maintenance tasks included in the maintenance program for the aircraft in ensuring the continuing airworthiness of the aircraft; and
(b) record the results of the analysis and information that substantiates the results of the analysis

(2) If the results of the analysis indicate that the maintenance program should be varied, the person must, within 30 days after completing the analysis vary the maintenance program.

(3) The person responsible for continuing airworthiness for the aircraft may use a reliability program:
(a) to analyse the effectiveness of the maintenance program tasks; and
(b) amend the maintenance program;
on ongoing basis instead of performing annual analysis in accordance with clause (1).

(4) If the maintenance program for an aircraft includes maintenance tasks that have been developed using MSG 3 process – the person responsible for continuing airworthiness for the aircraft must use a reliability program to:
(a) to analyse the effectiveness of the maintenance program tasks; and
(b) amend the maintenance program;
on ongoing basis instead of performing annual analysis in accordance with clause (1).

(5) The reliability program must comply with the specification for the reliability program specified in Appendix C.2

C.011 Reliability program for aircraft authorised to operate for certain types of operation

(1) The person responsible for continuing airworthiness for:
(a) an aircraft authorised for extended diversion time (EDTO) operation; or
(b) a single-engine turbine-powered aircraft authorised for operation at night and or in instrument meteorological conditions (IMC);
must use a reliability program to monitor the level of reliability of any part and system of the aircraft required under the authorisation.

(2) The reliability program must comply with the standards for the reliability program specified in Appendix C.2.

C.12 Updating maintenance program due to changes to maintenance requirements for maintenance program

If due to any change to a maintenance requirement for maintenance program for an aircraft, the aircraft's maintenance program no longer complies with the maintenance requirement – the person responsible for continuing airworthiness for the aircraft must:
(b) amend the maintenance program:
(i) if the maintenance requirements specify any period or other limitation (for example in terms of aircraft's total time in service) for amending the maintenance program – within that period or limitations; or
(i) if the maintenance requirements do not specify any period or other limitation for amending the maintenance program – before the maintenance is due for carrying out in accordance with the maintenance requirement; or
(c) ensure an approval has been issued, in accordance with Section J of this document, for not complying with the maintenance requirement, before the maintenance is due for carrying out.

Subsection C.3 - Continuing airworthiness records

C.13 Form and format of the records

The person responsible for managing continuing airworthiness for an aircraft must ensure that any information recorded or kept under this Subsection is recorded or kept:

(a) in writing; and

(b) in a form and format that would make the record to be:

(ii) permanent;

(iii) easily accessible and readable; and

(iv) protected from unintended alteration;

at all times.

Note: *The continuing airworthiness information for an aircraft recorded and kept under clause C.14 along with the substantiating document kept under clause C.15 would constitute continuing airworthiness records for the aircraft. The CASA logbooks and associated forms can be used record the continuing airworthiness information. The information may also be recorded and kept in any other hard copy format or electronic format provided the electronic these meet the requirement mentioned above.*

C.14 Information to be recorded or kept to establish continuing airworthiness status of an aircraft

(1) The person responsible for continuing airworthiness for an aircraft must ensure following information for the aircraft is recorded or kept to establish continuing airworthiness status of the aircraft, before the aircraft is operated for its first flight under an AOC:

(a) identity of the aircraft by:

(i) its make; and

(ii) its type and model designation; and

(iii) its registration mark; and

(iv) its serial number.

(b) for each engine and propeller fitted to the aircraft:

(i) its make;

(ii) its type and model designation;

(iii) its serial number;

(c) total time in service for aircraft, engines, propellers and any other utilisation information for the aircraft and aeronautical products fitted to the aircraft, that are used to establish the aircraft's maintenance requirements;

(d) the empty weight of the aircraft and the position of the centre of gravity on the aircraft when the aircraft is in its empty weight configuration;

(e) details of modification incorporated to the aircraft and aeronautical products fitted to the aircraft including repairs involving design change;

(f) status of compliance with airworthiness directives;

(g) status of compliance with each maintenance program task;

(h) status of any life limited part.

(2) The person responsible for continuing airworthiness for an aircraft must ensure information recorded under subclause (1) is kept up to date subsequent to any flight of the aircraft.

C.15 Substantiating documents

The person responsible for managing continuing airworthiness must keep documents that substantiate the continuing airworthiness information recorded or kept under clause C.14.

Note: Examples of substantiating document includes maintenance records, authorised release certificates for parts fitted to the aircraft, copies of flight technical log for the utilisation information.

Subsection C.4 - Flight technical log

C.17 Flight technical log

(1) The person responsible for continuing airworthiness for an aircraft must provide a document called flight technical log for the aircraft that can be used:
- (a) to record following information:
  - (i) utilisation information for the aircraft and aeronautical products fitted to the aircraft that are used to establish the aircraft's maintenance requirements unless the person responsible for continuing airworthiness for an aircraft have other means of recording the information;
  - (ii) details of any defect discovered during the operation of the aircraft;
  - (iii) details of rectification of defect or if rectification of the defect is deferred details of deferral;
  - (iv) details of maintenance carried out;
  - (v) information regarding when the next maintenance is due according to the aircraft's maintenance program unless the person responsible for continuing airworthiness for the aircraft have other means for tracking this information.
- (b) to perform maintenance certification and issue certificate of release to service for the aircraft in relation to maintenance carried out

(2) The flight technical log must include identification of the aircraft, including the type, model and registration mark for the aircraft.

C.18 Availability of flight technical log

The person responsible for continuing airworthiness for an aircraft must ensure that the flight technical log for the aircraft is available to:
- (a) the aircraft's flight crew; and
- (b) any person who is carrying out maintenance on the aircraft.

Subsection C.5 - Retention and transfer of continuing airworthiness records

C.19 Retention of continuing airworthiness records

The person responsible for continuing airworthiness for an aircraft must ensure that following continuing airworthiness records for the aircraft are kept for the duration mentioned below for each kinds of records:
- (a) maintenance record for modification incorporated to the aircraft – for the duration the person remains the person responsible for continuing airworthiness for the aircraft;
- (b) maintenance records for maintenance carried out under the maintenance program – until such time the maintenance is carried out again;
- (c) maintenance records for maintenance that are not kept under paragraph (a) and (b) above – for 1 years from the date record was created;
- (d) a certificate of release to service for the aircraft in relation to maintenance carried out on the aircraft – for 1 year after the date of issue of the certificate;
- (e) any substantiating document required kept clause C.15 that is not kept under paragraphs (a), (b), (c) and (d) above – until such time the information substantiated by the document is superseded by other information

(f) record of information that is made in the flight technical log and that is not kept under paragraphs (a), (b), (c), (d) and (e) above – for 1 years from the date record was created.

C.20 Transfer of continuing airworthiness records for aircraft

(1) When a person ceases to be the person responsible for continuing airworthiness for an aircraft, the person must give the continuing airworthiness records for the aircraft to the new person responsible for continuing airworthiness for the aircraft**.**

(2) The record must be given within 30 day of the person ceasing to be the person responsible for continuing airworthiness for the aircraft.

Subsection C.6 - Reporting and investigation of major defects

C.21 Reporting major defects

If the person responsible for continuing airworthiness for an aircraft becomes aware of a major defect in the aircraft, the person must, within 2 days after becoming aware of the defect, report the defect to:

(a) CASA; and

(b) if the defect does not relate to a modification mentioned in paragraph (d) – the type certificate holder for the aircraft; and

(c) if the defect relates to the aircraft's engine or propeller but does not relate to a modification mentioned in paragraph (d) – the type certificate holder for the engine or propeller;

(d) if the defect relates to a modification made to the aircraft for which the type certificate holder of the aircraft, engine or propeller is not holder of the design approval – the holder of the design approval for the modification;

(e) if the defect relates to a part produced in accordance with a parts manufacturer approval – the holder of the parts manufacturer approval.

C.22 Investigating major defects

If the person responsible for continuing airworthiness for an aircraft becomes aware of a major defect in the aircraft, the person must:

(a) investigate the cause of the defect; and

(b) give CASA a report containing the findings of the investigation within 14 days after completing the investigation.

Appendix C.1

Reference: Paragraph C.07(b)

Content to be added

Appendix C.2

Reference: Subclauses C.10(5) and C.11(2)

Content to be added

Section D Maintenance

Subsection D.1 - Preliminary

D.01 Purpose of this Section

This Section sets out:

(a) who is permitted to carry out maintenance on an aircraft and aeronautical products for the aircraft that is authorised to operate under an AOC;

(b) obligation of person who carries out maintenance including:

(i) how maintenance must be performed; and

(ii) how defects must be dealt with; and

(iii) how records of maintenance must be created and kept.

D.02 Meaning of terms used in this Section

In this Section:

holder of aircraft engineer licence means holder an aircraft engineer licence issued under Part 66 of the CASR.

holder of a pilot licence means holder a pilot licence, other than a student pilot licence, issued under Part 61 of the CASR.

independent maintainer means holder of an aircraft engineer licence or holder of a pilot licence who is permitted to carry out maintenance under clause D.03.

Australian maintenance organisation means a maintenance organisation approved under CASR

foreign maintenance organisation means a maintenance organisation approved under the legislation of a state other than Australia.

critical control system maintenance means maintenance carried out on the aircraft control system that, if not carried out correctly, may result in a failure, malfunction or defect of the system that will endanger the safe operation of the aircraft.

aircraft control system means the system of the aircraft by which the flight path, attitude or propulsive force of the aircraft is changed.

Subsection D.2 - Permission to carry out maintenance

D.03 Who may to carry out maintenance on aircraft

(1) An individual may carry out any maintenance on an aircraft on behalf of maintenance organisation approved under CASR if the organisation has been approved to carry out the maintenance.

(2) Outside Australian territory, an individual may carry out any maintenance on an aircraft on behalf of a foreign maintenance organisation if:

(a) the organisation has been approved by any of the States listed under subclause (3) to carry out the maintenance; and

(a) the aircraft is engaged in unscheduled air transport operations.

(3) For the purpose of subclause (2), the States are:
(a) member States of the European Aviation Safety Agency;
(b) New Zealand;
(c) Singapore;
(d) United States of America.

(4) A holder of an aircraft engineer licence may the carry out any maintenance on an aircraft if:
(a) the holder may perform maintenance certification for the maintenance; and
(b) the maintenance is not specified in Appendix D.1.

(5) A holder of a pilot licence for an aircraft that authorises the holder to fly the aircraft, may carry out of maintenance on the aircraft if:
(a) the maintenance is specified in Appendix D.2; and
(b) holder has been trained by a maintenance organisation and has been authorised by the person responsible for continuing airworthiness for the aircraft to perform the maintenance based on their competency; and
(c) the holder is member of the aircraft's flight crew.

D.04 Who may carry out maintenance on aeronautical products

(1) An individual may carry out any maintenance on an aeronautical product on behalf of a maintenance organisations approved under CASR, if the organisation has been approved to carry out the maintenance.

(2) Outside Australian territory, an individual may carry out any maintenance on an aeronautical product on behalf of a foreign maintenance organisation if the organisation has been approved by one of the following State carry out the maintenance:
(a) Canada;
(b) Member States of the European Aviation Safety Agency;
(c) New Zealand;
(d) Singapore;
(e) United States of America.

Subsection D.3 – How maintenance must be carried out

D.05 General requirements for carrying out maintenance

(1) If an individual carries out maintenance on an aircraft or on an aeronautical product, the individual must:
(a) carry out the maintenance:
(i) in accordance with current applicable maintenance data for the maintenance; and
(ii) using facilities that are appropriate for carrying out the maintenance; and
(b) if tools and equipment are mentioned in the maintenance data for the maintenance - use those tools and equipment or other tools and equipment that have been established as equivalent by a maintenance organisation; and
(c) if using measuring or testing equipment—ensure that the accuracy of the equipment:
(i) is appropriate for proper completion of the maintenance to the standard required by the maintenance data; and
(ii) have been calibrated to nationally or internationally recognised standard, at appropriate intervals.

(2) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with subclause (1).

D.06 Ensuring individuals are competent to carry out maintenance

(1) An individual is competent to carry out maintenance on an aircraft or aeronautical product if he or she has the skills and knowledge to carry out the maintenance to the standard required by the maintenance data for the maintenance.

(2) A maintenance organisation must ensure an individual who carries out maintenance on behalf of the organisation is either competent to carry out the maintenance or the individual is supervised by someone who is competent to carry out the maintenance.

(3) An independent maintainer must not carry out maintenance on an aircraft unless the independent maintainer is competent to carry out the maintenance.

D.07 Maintenance involving changes to the approved design

If an individual on behalf of a maintenance organisation or an independent maintainer, carries out:

(a) a modification to the aircraft or aeronautical product; or

(b) a repair of the aircraft or aeronautical product that involves a change to the approved design for the aircraft or aeronautical product;

the maintenance organisation or the independent maintainer must, before a certificate of release to service is issued for the aircraft or aeronautical product in relation to the maintenance, ensure that:

(c) there is an approval under Part 21 of the CASR for the design of the modification or repair; and

(d) the modification or repair complies with the design.

D.08 Removal of tools etc after carrying out maintenance

(1) An individual who carries out maintenance on an aircraft or aeronautical product, must remove from the aircraft or aeronautical product any tools, equipment or other things extraneous to the aircraft or the aeronautical product before a certificate of release to service is issued for the aircraft or aeronautical product in relation to the maintenance.

(2) A maintenance organisation must ensure that an individual who carries out maintenance on its behalf complies with subclause (1).

D.09 Independent verification of critical control system maintenance

(1) If an individual on behalf of a maintenance organisation or an independent maintainer, carries out critical control system maintenance on an aircraft, the maintenance organisations or the independent maintainer must, before a certificate of release to service is issued for the aircraft in relation to the maintenance, ensure that an independent individual has:

(a) verified that:

(i) part of the aircraft control system on which the maintenance was carried out is assembled and configured in accordance with the maintenance data for the maintenance; and

(ii) the aircraft control system is functioning correctly; and

(b) made a record of the verification stating that the individual has verified the matters mentioned in paragraph (1)(a) and

(c) included the following information in the record:

(i) information identifying the critical control system maintenance to which the verification relates;

(ii) the individual's name and licence or certification authorisation number;

(iii) the date the verification was performed; and

(d) signed the record.

(2) The independent individual who performs verification of critical control system maintenance carried out on an aircraft must be:
(a) an individual who has not performed the maintenance certification for the critical control system maintenance; and
(b) if the maintenance is carried out by an individual on behalf of a maintenance organisation – authorised by the maintenance organisation to perform the independent inspection; or
(c) if the maintenance is carried out by an independent maintainer – one of the following:
(i) the holder of an aircraft engineer licence who may perform maintenance certification for the critical control system maintenance.
(ii) the holder of an aircraft engineer licence who may perform maintenance certification for similar critical control system maintenance on an aircraft having control system of similar technology and construction.
(d) the holder of a pilot licence for the aircraft that authorises the holder to fly the aircraft, provided:
(i) the holder has been trained by a maintenance organisation and has been authorised by the person responsible for continuing airworthiness for the aircraft to perform the independent inspection based on their competency;
(ii) and is member of the aircraft's flight crew.

Subsection D.4 – Dealing with defects

D.10 Recording defects

(1) If an individual becomes aware of a defect in an aircraft, while the individual is carrying out maintenance on the aircraft, the individual must ensure that the defect is recorded:
(a) in the aircraft's flight technical log; or
(b) if the maintenance is being carried out by an individual on behalf of a maintenance organisation – in the worksheet used by the maintenance organisation to record maintenance; or
(c) if the maintenance is being carried out by an independent maintainer in the worksheet used by the independent maintainer to record maintenance
before a certificate of release to service is issued for the aircraft in relation to the maintenance.

(2) The requirement to record a defect as mentioned in subclause (1) does not apply to a superficial defect.

(3) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with subclause (1).

D.11 Deferring rectification of defect

(1) If there is defect in an aircraft, a holder of an aircraft engineer licence may defer the rectification of the defect if the holder would be able to perform maintenance certification for the rectification of the defect and if the deferral is permitted under subclause (2).

(2) The rectification of the defect may be deferred if:
(a) the operation of the aircraft with the defect is permitted by:
(i) the instructions for continuing airworthiness for the aircraft; or

(ii) the minimum equipment list for the aircraft; or
(iii) the flight manual for the aircraft; or
(iv) a special flight permit; or
(v) an airworthiness directive; or
(vi) an approval under regulation 21.007 of CASR which deals with permissible unserviceability; or
(vii) any other provision of the CASR; or

(b) the defect does not adversely affect the safe operation of the aircraft and is in an equipment or a system of the aircraft that is not required:
(i) by the certification basis for the aircraft; and
(ii) under Parts 133 and 135 of CASR; or

(c) the defect is superficial.

(3) To defer the rectification of the defect the qualified individual must:
(a) make a record that includes the following information:
(i) a description of the defect;
(ii) the basis for deferring the rectification of the defect;
(iii) any conditions or limitations that applies to the operation of the aircraft with the defect;
(iv) the date of deferral;
(v) the individual's name and licence or certification authorisation number; and
(b) sign the record.

D.12 Reporting major defects

(1) If an independent maintainer becomes aware of a major defect in an aircraft, while the independent maintainer is carrying out maintenance on the aircraft – the independent maintainer must report the defect to the person responsible for continuing airworthiness for the aircraft.

(2) A maintenance organisation that becomes aware of a major defect must:
(a) if the defect is found while carrying maintenance on an aircraft – report the defect to the person responsible for continuing airworthiness for the aircraft.
(b) if the defect is found while carrying maintenance on an aeronautical product – report the defect to CASA.

(3) The independent maintainer or maintenance organisation must report the major defect within 2 days after the person becomes aware of the defect.

Subsection D.5 – Maintenance records

D.13 Recording maintenance information for aircraft

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aircraft, the maintenance organisations must ensure that the information mentioned in subclause (3) is recorded in accordance with subclause (4), before the organisation issues a certificate of release to service for the aircraft in relation to the maintenance

(2) If an independent maintainer carries out maintenance on an aircraft, the independent maintainer must record the information mentioned in subclause (3) in accordance with subclause (4), before the independent maintainer issues a certificate of release to service for the aircraft in relation to the maintenance

(3) The following information must be recorded in relation the maintenance carried out:
- (a) the registration mark for the aircraft;
- (b) the date on which the maintenance was completed;
- (c) a description of the maintenance;
- (d) reference to the maintenance data used;
- (e) description, part number and serial number of any part fitted, including any of the following information as applicable:
  - (i) reference to an authorised release certificate or an equivalent document;
  - (ii) if the fitted part was removed from another aircraft – information identifying the aircraft from which the part was removed
  - (iii) if the fitted part was fabricated in the course of maintenance –the maintenance record for the fitment of the part includes a statement that the part has been fabricated during maintenance;
- (f) if the maintenance is a modification or repair involving a change to the approved design for the aircraft – information identifying the design of the modification or repair;

(4) The information must be recorded:
- (a) in the aircraft's flight technical log; or
- (b) if the maintenance is being carried out by an individual on behalf of a maintenance organisation – in the worksheet used by the maintenance organisation to record maintenance; or
- (c) if the maintenance is being carried out by an independent maintainer in any worksheet used by the independent maintainer to record maintenance

before a certificate of release to service is issued for the aircraft in relation to the maintenance.

D.14 Recording maintenance information for aeronautical products

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aeronautical product, the maintenance organisation must ensure that the following information is recorded in accordance with subclause (2), before the organisation issues a certificate of release to service for the aeronautical product in relation to the maintenance:
- (a) identification information including description, part number and serial number of the aeronautical product:
- (b) the date on which the maintenance was completed;
- (c) a description of the maintenance;
- (d) reference to the maintenance data used;
- (e) description, part number and serial number of any part fitted, including reference to authorised release certificate or an equivalent document if applicable.

(2) The information must be recorded in the worksheet used by the maintenance organisation to record the maintenance before a certificate of release to service is issued for the aircraft in relation to the maintenance.

D.15 Providing of maintenance record and other documents to the person responsible for continuing airworthiness for the aircraft

(1) If an individual on behalf of a maintenance organisation carries out maintenance on an aircraft, the maintenance organisations must ensure that the maintenance record for the maintenance is given to the person responsible for continuing airworthiness for the aircraft, within 30 days after the organisation issues a certificate of release to service for the aircraft in relation to the maintenance.

(2) If an independent maintainer carries out maintenance on an aircraft, the independent maintainer must give the maintenance record for the maintenance to the person responsible for continuing airworthiness for the aircraft, within 30 days after the organisation issues a certificate of release to service for the aircraft in relation to the maintenance.

D.16 Retention of copy of maintenance record by maintenance organisations

(1) A maintenance organisation must keep maintenance records for the maintenance it has carried on aircraft or aeronautical product for 2 years after the organisation issued the certificate of release to service for the aircraft or aeronautical product in relation to the maintenance.

(2) An independent maintainer must keep maintenance records for the maintenance he or she has carried on aircraft for 2 years after the independent maintainer issued the certificate of release to service for the aircraft in relation to the maintenance.

Appendix D.1

Reference: Subclauses D.03(4)

Content to be added

Appendix D.2

Reference: Subclauses D.03(5)

Content to be added

Section E Use of parts and materials during maintenance

Subsection E.1 Preliminary

E.01 Purpose of this Section

This Section sets out requirements for:
(a) fitting parts to, and using materials in, aircraft and aeronautical products during maintenance; and
(b) the control of unserviceable and unsalvageable parts; and
(c) the control of unapproved parts.

E.02 Meaning of terms used in this Section

(1) In this Section:

new part means the part has not been used in an aircraft and has not any maintenance carried out since its manufacture.

(2) A part is ***eligible to be fitted*** to an aircraft or another aeronautical product if the fitting is permitted:
(a) by the approved design for the aircraft or the aeronautical product; or
(b) by a parts manufacturer approval acceptable (PMA) under Part 21 of CASR.

(3) A material is ***eligible to be used*** in or on an aircraft or an aeronautical product if the use is permitted:
(a) by the approved design for the aircraft or the aeronautical product; or
(b) by maintenance data for maintenance to be carried out on the aircraft or aeronautical product.

(4) A part is ***unapproved*** if:
(a) the part is counterfeit; or
(b) the design of the part has not been approved in accordance with Part 21 of the CASR; or
(c) the part has been produced other than in accordance with an authorisation granted by a civil aviation authority of a State; or
(d) maintenance has been carried out on the part other than in accordance with an authorisation granted by a civil aviation authority of a State; or
(e) the part has been modified other than in accordance with a design approved under Part 21 of the CASR;
(f) the part is unserviceable or unsalvageable and has been fraudulently represented as serviceable; or
(g) the part is accompanied by a fraudulent document

Subsection E.2 Fitting parts and using materials

E.03 Fitting parts - general requirement

(1) An individual who is carrying maintenance on an aircraft or aeronautical product must not fit a part to the aircraft or the aeronautical product unless**:**
(a) the part is eligible to be fitted to the aircraft or aeronautical product; and
(b) for a part that has been stored:
(i) the storage was in accordance with the instructions (if any) issued by the manufacturer of the part in relation to storage; and

(ii) the storage life for the part, if any, specified by the manufacturer of the part, has not expired; and

(c) the part can be fitted under clause E.04.

(2) A maintenance organisation must ensure that an individual who carries out maintenance on behalf of the organisation complies with subclause (1).

E.04 Fitting parts – traceability and authenticity requirement

(1) Subject to clause E.03, a new part may be fitted to an aircraft or aeronautical product if:

(a) if the part is not a standard part – an authorised release certificate has been issued for the part in relation to its manufacture; or

(b) if the part is a standard part – the part is accompanied by:

(i) information that identifies the specification with which the part complies; and

(ii) evidence that the standard part complies with the specification; and

(iii) information that allows the part to be traced to its manufacturer; or

(c) if the part has been fabricated by a maintenance organisation – the maintenance record for fitting the part includes a statement that the part has been fabricated during maintenance; and

(2) A part on which maintenance has been carried out may be fitted to an aircraft or aeronautical product if:

(a) the part has not been used in an aircraft since the maintenance was carried out; and

(b) an authorised release certificate or equivalent document has been issued for the part in relation to the maintenance.

(3) A part which has been removed from an aircraft or aeronautical may be fitted to the same aircraft or aeronautical product if:

(a) the part has not been used on an aircraft since its removal; and

(b) no maintenance has been carried out on the part since its removal; and

(c) the maintenance record for fitting the part includes a statement that the part has been removed from and fitted to the same aircraft and aeronautical product.

(4) A part which has been removed from an aircraft may be fitted to another aircraft or aeronautical product if:

(a) no maintenance has been carried out on the part since its removal; and

(b) an authorised release certificate has been issued for the part in accordance with Subsection H.4 confirming that the part has been removed in a serviceable condition from the aircraft.

(5) A part which has been removed from a registered aircraft may be fitted to another aircraft or aeronautical product if:

(a) at the time the part was removed, a standard certificate of airworthiness was in force for the aircraft; and

(b) the part has been removed from the aircraft by an individual on behalf of a maintenance organisation or an independent maintainer who was permitted under these Regulations to carry out maintenance that involves removal of the part; and

(c) the part is fitted by the same maintenance organisation or the independent maintainer that removed the part; and

(d) no maintenance has been carried out on the part since its removal; and

(e) the aircraft from which the part has been removed did not suffer an accident or incident that may have caused the part to degrade or deteriorate;

(f) the life limit (if any) for the part has not been exceeded;

(g) the person responsible for continuing airworthiness for the aircraft agrees to the fitting of the part to their aircraft

(h) the maintenance record for fitting the part identifies the aircraft from which the part was removed.

E.05 Using materials – traceability and authenticity requirement

(1) An individual who is carrying out maintenance on an aircraft or aeronautical product must not use a material in or on an aircraft or aeronautical product unless:
(a) the material is eligible to be used in or on the aircraft or aeronautical product; and
(b) the material is accompanied by:
(i) information that identifies the specification with which the material complies; and
(ii) evidence that the material complies with the specification; and
(iii) information that allows the material to be traced to its manufacturer; and
(a) the material appears to be in a satisfactory condition; and
(b) if the manufacturer of the material has specified a storage life for the material—the storage life for the material has not expired.

(2) An approved maintenance organisation must ensure that an individual who carries out maintenance on its behalf complies with subclause (1).

Subsection E.3 Controlling unserviceable and unsalvageable parts

E.06 Control of unserviceable parts

(1) If a maintenance organisation or an independent maintainer have in their possession an unserviceable part, the organisation or the independent maintainer must within 2 days after the becoming aware of unserviceability of the part:
(a) ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) a statement that the part is unserviceable;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unserviceable; and
(b) store the part separately from serviceable aeronautical products and in a secure location.

E.07 Control of unsalvageable parts

(1) If a maintenance organisation or an independent maintainer have in their possession an unserviceable part, the organisation or the independent maintainer must within 2 days after the becoming aware of the un-salvageability of the part:
(a) ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) a statement that the part is unsalvageable;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unsalvageable; and
(b) store the part separately from serviceable aeronautical products and in a secure location; or
(c) if the organisation or independent maintainer is not the owner of the part—give the part to the owner of the part; or
(d) ensure that parts is mutilated, in a manner to prevent its use in aviation.

(2) If the owner of a part receives the part under paragraph (1)(b), the owner must, within 3 days of receiving the part:
(a) store the part separately from serviceable aeronautical products and in a secure location; or
(b) ensure that parts is mutilated, in a manner to prevent its use in aviation.

Subsection E.4 Controlling and reporting of unapproved part

E.08 Control of unapproved parts

If a person becomes aware that a part is unapproved, the person must within 2 days after the becoming aware of the approved part:
(a) if the person has possession of the part - ensure the part has been labelled with the following information:
(i) sufficient information to identify the part, including the part's name, part number and serial number (if any);
(ii) a statement that the part is unapproved;
(iii) the origin of the part, including information about the aircraft or aeronautical product from which the part has been removed (if relevant and if known);
(iv) the reason that the part is unapproved; and
(b) if the person has possession of the part - store the part, and any documents that accompanied the part, separately from serviceable aeronautical products and in a secure location; and
(c) submit a report about the part in accordance with clause E.10.

E.09 Reporting unapproved parts

(1) A person who is required submit a report about an unapproved part under paragraph E.09(c), must submit the report it to:
(a) CASA; and
(b) if the part is or was fitted to an aircraft - the person responsible for continuing airworthiness for the aircraft.

(2) If CASA receives a report about an unapproved part, CASA may:
(a) require the person who sumitted the report to give CASA further information in relation to the part; or
(b) notify the person who has the possession of the unapproved part that the part does not have to be kept.

E.10 Action required if an unapproved part is not required to be kept

(1) If a person who has the possession of an unapproved part is notified by CASA that the part does not have to be kept, the person must, within 2 days after receiving the notification:
(a) if the person is not the owner of the part - give the part to the owner of the part; or
(b) store the part, and any documents that accompanied the part, separately from serviceable aeronautical products and in a secure location; or
(c) ensure that the part is mutilated, in a manner to prevent its use in aviation.

(2) If the owner of a part receives the part under paragraph (1)(a), the owner must, within 3 days of receiving the part:
(a) store the part separately from serviceable aeronautical products and in a secure location; or
(b) ensure that parts is mutilated, in a manner to prevent its use in aviation.

Section G Capability of person responsible for managing continuing airworthiness and approval of such person

Content to be added

Section H Maintenance certification and certificate of release to service

Subsection H.1 Preliminary

H.01 Purpose of this Section

This Section sets out requirements for the performance of maintenance certification and the issue of certificates of release to service when maintenance has been carried out.

Subsection H.2 Maintenance certification for aircraft and aeronautical product

H.02 Who must perform maintenance certification and when it must be performed

(1) If the maintenance is carried out by a maintenance organisation, the organisation must ensure that maintenance certification for the maintenance is performed by an individual authorised by the organisation:
- (a) whose authorisation permits him or her to perform maintenance certification for the maintenance; and
- (b) who carried out the maintenance, or supervised the carrying out of the maintenance by another individual; and
- (c) before the organisation issues a certificate of release to service for the aircraft or aeronautical product in relation to the maintenance.

(2) If the maintenance is carried out by an independent maintainer, the independent maintainer must perform maintenance certification for the maintenance before the independent maintainer issues a certificate of release to service for the aircraft in relation to the maintenance.

H.03 Requirements to be met before performing maintenance certification.

(1) An individual must not perform maintenance certification for the maintenance unless he or she has ensured that the maintenance has been carried out in accordance the requirements:
- (a) set out in Section D of this document; and
- (b) if the maintenance has been performed by a maintenance organisation - any additional requirements that applies to maintenance organisation in relation to carrying out maintenance; and
- (c) details of maintenance carried out on the aircraft or aeronautical product has been recorded as required by Subsection D.5.

(2) A maintenance organisation must ensure that an individual who performs maintenance certification on its behalf complies with subclause (1).

(3) An individual must not issue maintenance certification for the maintenance unless the requirements mentioned in subclause (1) are met.

H.04 How maintenance certification is performed

To perform maintenance certification for the maintenance, an individual must:
- (a) sign the record that is created under Subsection D.5 that contains the details of maintenance carried out on the aircraft or aeronautical product; and
- (b) enter the following information in the record:
  - (i) the date of the maintenance certification; and
  - (ii) if he or she carried out the maintenance on behalf of a maintenance organisation - his or her authorisation number issued by the organisation; and
  - (iii) if he or she carried out the maintenance as an independent maintainer - his or her aircraft engineer licence number, pilot licence number or flight engineer licence number.

Subsection H.3 Certificate of release to service for aircraft

H.05 Who may issue a certificate of release to service for aircraft

(1) If maintenance is carried out on an aircraft by a maintenance organisation, the organisation may issue a certificate of release to service for the aircraft in relation to the maintenance.

(2) If a maintenance organisation issues the certificate of release to service for the aircraft in relation to the maintenance, the organisation must ensure the certificate is issued, on behalf of the organisation by an individual:
(a) authorised by the organisation: and
(a) whose authorisation permits him or her to issue the certificate of release to service.

(3) If the maintenance is carried out on an aircraft by an independent maintainer, the independent maintainer may issue a certificate of release to service for the aircraft in relation to the maintenance.

H.06 Requirements to be met for issuing certificate of release to service for aircraft

(1) A maintenance organisation or independent maintainer must not issue a certificate of release to service for an aircraft in relation to maintenance the organisation or independent maintainer has carried out on the aircraft, unless the following requirements are met:
(a) the organisation or independent maintainer has finished carrying out the maintenance;
(b) maintenance certification has been performed for all of the maintenance;
(c) if the maintenance included critical control system maintenance - an independent verification of the critical control system maintenance has been performed;
(d) if there is a defect in the aircraft, and the rectification of the defect has not been deferred:
(i) the certificate includes details of the defect;
(ii) the person responsible for continuing airworthiness for the aircraft has been notified that there is a defect in the aircraft, and the rectification of the defect has not been deferred; and
(e) if maintenance requested for the aircraft, other than the defect mentioned in paragraph (c) has not been carried out:
(i) the certificate includes details of the maintenance that has not been carried out; and
(ii) the person responsible for continuing airworthiness for the aircraft has been notified that the maintenance requested for the aircraft has not been carried out.
(f) the form and content of the certificate complies with clause H.07.

(2) An individual must not issue a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft unless the requirements mentioned in subclause (1) are met.

H.07 Form and content of certificate of release to service

(1) A certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft must include the following information:
(a) information identifying the certificate as a certificate of release to service;
(b) the aircraft's registration mark;
(c) if the maintenance was carried out by a maintenance organisation—the organisation's approval certificate reference number and the authorisation number of the employee issuing the certificate;

(d) if the maintenance was carried out by an independent maintainer —the name and licence number of the individual issuing the certificate.

(2) The certificate must be included in the flight technical log for the aircraft.

H.08 How certificate of release to service is issued

To issue a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft, an individual must:

(a) sign the certificate; and

(b) record the date and time of issue on the certificate**.**

H.09 Retaining copy of certificate of release to service

If a maintenance organisation issues a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft, the organisation must ensure that a copy of the certificate is retained for 1 year from on the date the certificate is issued.

Subsection H.4 Certificate of release to service for aeronautical products on which maintenance has been carried out

H.10 Obligation not to release aeronautical product without certificate of release to service

If a maintenance organisation carries out maintenance on an aeronautical product on, the organisation must not release the product for use in an aircraft or another aeronautical product unless the organisation has issued a certificate of release to service for the aeronautical product in relation to the maintenance.

H.11 Who may issue certificate of release to service

(1) If maintenance is carried out on aeronautical product by a maintenance organisation, the organisation may issue a certificate of release to service for the aircraft in relation to the maintenance.

(2) If a maintenance organisation issues the certificate of release to service for the aircraft in relation to the maintenance, the organisation must ensure the certificate is issued, on behalf of the organisation by an individual:

(a) authorised by the organisation: and

(b) whose authorisation permits him or her to issue the certificate of release to service.

H.12 Requirements to be met for issuing certificate of release to service for aeronautical product

(1) A maintenance organisation must not issue a certificate of release to service for an aeronautical product in relation to maintenance the organisation has carried out on the product, unless the following requirements are met:

(a) the organisation has finished carrying out the maintenance;

(b) maintenance certification has been performed for all the maintenance carried out on the product;

(c) the product is serviceable or if the product is not serviceable, the certificate includes reason for unserviceability;

(d) the form and content of the certificate complies with clause H.13.

H.13 Form of certificate of release to service

A certificate of release to service for an aeronautical product must be issued in the approved form and must include all the information required in the approved form.

H.14 How certificate of release to service is issued

To issue a certificate of release to service on behalf of an approved maintenance organisation for an aeronautical product in relation to maintenance carried out on the product, an individual must:
(a) sign the certificate; and
(b) record the date of issue on the certificate.

H0.15 Dealing with certificate of release to service

If an approved maintenance organisation issues a certificate of release to service for an aeronautical product in relation to maintenance carried out on the product, the organisation must:
(a) give the certificate to the person to whom the product is released for use in an aircraft or another aeronautical product; and
(b) retain a copy of the certificate for 2 years from date the certificate is issued.

Subsection H.5 Certificate of release to service for aeronautical products removed from an aircraft (on which no maintenance has been carried out)

Content to be added.

Section I Airworthiness reviews and airworthiness review certificates

Content to be added.

Section J Approval for maintenance programs

Content to be added.

Section K Directions to vary maintenance programs

Content to be added.

Section L Approval of reliability programs

Content to be added.

Section M Continuing airworthiness responsibilities of pilots

Content to be added.

Section N Record keeping requirements

Content to be added.

Annex 3 Maintenance organisation policies for organisations that provide maintenance for aircraft in air transport operation under Parts 133 and 135

Purpose of this Annex

Annex 3 sets out the policies for the initial approval and continuation of the approval of an organisation that will be able to carry out maintenance on aircraft and aeronautical products for aircraft that are authorised to operate under an AOC issued

Section 1 Preliminary

1.1 Meaning of terms used in this document

1.1.1 Human factors principles, in relation to maintenance, means principles that deal with the interaction between human performance and maintenance that are applied to improve safety of air navigation.

1.1.2 Human performance, in relation to maintenance, means the human capabilities and limitations that have an effect on the safety of air navigation, such as fitness, health, stress, fatigue, drugs and alcohol, and work environment.

Section 2 Certification of a maintenance organisation

2.1 Applying for approval

2.1.1 A person (the applicant) will be able to apply to CASA for approval as maintenance organisation.

2.1.2 The application must include the following:

(a) a copy of the applicant's proposed procedure manual;

(b) the proposed scope of approval in terms of;

(i) each class of aircraft or kind of aeronautical product on which the applicant proposes to carry out maintenance;

(ii) the extent of maintenance that the organisation intends to carry out on each class of aircraft or kind of aeronautical product and the locations where the organisation intend to carry out such maintenance.

(c) details of personnel, facility, tools, equipment and data and other resources the organisation have or have access to comply with the requirement of Section 5 of this document.

2.1.3 For maintenance on a non-type rated aircraft with piston engine the applicant will be able to apply for a scope of approval that would allow the applicant to carry out maintenance on:

(a) any non-type rated aeroplane with piston engine; or

(b) any non-type rated rotorcraft with turbine engine.

2.1.4 For maintenance on a non-type rated aircraft with turbine engine or a type rated aircraft either with piston or turbine engine, the applicant must apply for a scope of approval to carry out maintenance on:

(a) the specific aeroplane type; or

(b) the specific helicopter type.

2.1.5 For maintenance on an aeronautical product that is a piston engine, the applicant will be able to apply for a scope of approval that would allow the organisation to carry out maintenance on any piston engine.

2.1.6 For maintenance on an aeronautical product that is a turbine engine, the applicant must apply for a scope of approval that would allow the organisation to carry out maintenance on the specific engine type.

2.1.7 For maintenance on an aeronautical product that is a propeller, the applicant must apply for a scope of approval that would allow the organisation to carry out maintenance on the specific propeller type.

2.1.8 For maintenance on an aeronautical product that is not an engine or propeller, the applicant will be able to apply for a scope of approval that would allow the organisation to carry maintenance on any aeronautical product of similar kind.

2.2 Issuing approval

2.2.1 CASA will approve an applicant as a maintenance organisation if CASA is satisfied that the organisation complies with all the requirements set out in this document for the issue of an approval and any other applicable requirements of the legislation.

2.2.2 CASA will issue an approval certificate in an approved form setting out the approved scope of approval in terms of:

(a) each class of aircraft or kind of aeronautical product on which the applicant is approved to carry out maintenance;
(b) the extent of maintenance that the organisation is approved to carry out on each class of aircraft or kind of aeronautical product and the locations where the organisation is approved to carry out such maintenance.

2.3 Continuation of the approval

2.3.1 Continued validity of maintenance organisation approval will depend upon the organisation remaining in compliance with the requirements of this document and any other applicable requirements of the legislation.

Section 3 Scope of approval

3.1 Privileges of a maintenance organisation

3.1.1 A maintenance organisation may:

(a) carry out maintenance on aircraft and aeronautical products that the organisation is approved to carry out at a location; and
(b) carry out maintenance on aircraft and aeronautical products that the organisation is approved to carry out at a location that is not approved;
(c) issue a certificate of release to service for an aircraft or an aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product;
(d) fabricate parts for aircraft on which the organisation carries out maintenance.

3.2 Approval subject to conditions

3.2.1 A maintenance organisation must at all times comply with, and must ensure that its personnel comply with:

(a) the organisation's procedures manual; and

(b) the limits and conditions of the approval certificate; and

(c) applicable legislation.

3.3 Location of maintenance

3.3.1 With the exception mentioned in subsection 3.3.2 and 3.3.3, a maintenance organisation will be able to carry out maintenance on an aircraft or an aeronautical product at a location if the organisation is approved to carry out the maintenance on the aircraft or the product at the location.

3.3.2 A maintenance organisation will be able to carry out maintenance at a location that the organisation is not approved for carrying out the maintenance (*temporary location*) if:

(a) the maintenance is unscheduled maintenance that is carried out to rectify a defect on an aircraft; and
(b) the aircraft is engaged in unscheduled air transport operations; and
(c) the maintenance organisation has access to relevant facilities at the location that meet the requirements of the legislation.

3.3.3 If due to unforeseen circumstances, a maintenance organisation is required to carry out scheduled maintenance at a location at which the organisation is not approved to carry out the maintenance, the organisation must notify CASA in writing of its decision to carry out the maintenance at the location at least 5 days before the planned date of maintenance.

3.3.4 Before a maintenance organisation decides to carry out scheduled maintenance at an unapproved location and before notifying CASA in accordance with subsection 3.1.3, the organisation must carry out an assessment of the suitability of the facility at the location for carrying out the maintenance.

3.3.5 A maintenance organisation must keep copies of the assessment carried out in accordance with subsection 3.3.4, for 2 years after the organisation carries out the maintenance.

3.3.6 A notification sent by a maintenance organisation to CASA in accordance with subsection 3.3.3 must include the following information:

(a) a brief description of the maintenance;
(b) the location in terms of the address of the facility where the maintenance will be carried out;
(c) identify the aircraft or aeronautical product on which the maintenance will be carried out;
(d) the date of the planned maintenance;
(e) the circumstances under which the maintenance will have to be carried out;
(f) a copy of the assessment.

3.3.7 A maintenance organisation must have a register of locations that includes a list of all the locations the organisation is approved to carry the maintenance along with following information:

(a) location in terms of the address of the of the facility;
(b) a floor plan showing the layout of the facility;
(c) the scope of maintenance that the organisation is approved to carry out at the location;
(d) the date the location was approved.

3.3.8 A maintenance organisation must include in the register of location a separate list of unapproved locations where maintenance has been carried out in the past 2 years. The list must include the following information:

(a) a brief description of the maintenance;

(b) the location in terms of the address of the facility where the maintenance was carried out;
(c) identify the aircraft or aeronautical product on which the maintenance was carried out;
(d) the date of the maintenance was carried out;
(e) whether the maintenance was scheduled or unscheduled maintenance;

Section 4 Changes to the organisation

4.1 Significant change to an organisation

4.1.1 A significant change, in relation to a maintenance organisation, means any of the following changes:

(a) a change to the organisation's name;
(b) a change to the organisation's existing scope of approval;
(c) addition or removal of a maintenance facility;
(d) a change in the personnel holding:
  (i) the position of accountable person in the organisation; or
  (ii) any of the positions of responsible person;
(e) any unforeseen change to the organisation's facilities, equipment, tools, or certifying employees or other resources that could adversely affect the organisation's ability to carry out maintenance that it is approved to carry out.

4.2 Application for approval of significant changes

4.1.1 If a maintenance organisation proposes to make significant change to the organisation, the organisation must apply to CASA for approval of the change,

4.1.1 The application must

(a) set out the proposed change;
(b) include a copy of the part of the manual affected by the change, showing the change.

4.1.2 If the change is a change to the management personnel mentioned in paragraph 4.1.1(e) and the organisation was not able to apply for an approval for the change bore the change took place the, the organisation must apply within 7 days after making the change.

4.3 Actions in relation to unforeseen significant changes

4.1.2 If the change is an unforeseen change mentioned in paragraph 4.1.1(f), the organisation must notify CASA of the change within 3 day of the change taking place.

4.2.3 If the change is not expected to be permanent, the organisation must cease to carry out any specific maintenance that the organisation is not able to carry out properly due to the change.

4.2.3 If the change is expected to be permanent, the organisation must apply to CASA for change to its scope of approval to the extent necessary based on its inability to carry out any specific maintenance.

Section 5 Requirements to be met by the organisation for the issue and continuation of the approval

5.1 Procedures Manual

5.1.1 A maintenance organisation must have a procedures manual that provides process and procedures to:

(a) ensure maintenance carried out by individuals on behalf of the organisation is carried out in accordance with the requirements of the legislation while considering human factors and human performance limitation; and

(b) ensure the organisation complies with requirements of the legislation for continuation of the approval.

5.1.2 The procedures manual must include:

(a) the maintenance organisation's name, registered address and contact details;

(b) a description of the maintenance organisation's scope of approval;

(c) a brief description of the organisation's facilities and a reference to the register of locations;

(d) an organisation chart showing the organisation's structure and chains of responsibility of individuals within the organisation;

(e) the names of personnel nominated to the accountable and responsible person positions;

(f) the responsibilities and duties of all positions identified in the organisational structure;

(g) a description of the certification authorisation register and a reference to the register;

(h) the safety management system or a description of how the manual integrates a safety management system;

(i) procedures for amending the manual;

5.1.3 The maintenance organisation must amend the manual as and when necessary to ensure information in the manual remains up to date and continues to provide compliance with the legislation.

5.1.4 The maintenance organisation must make available the manual and subsequent amendment of the manual to all the personnel of the organisation and to CASA;

5.2 Facilities

5.2.1 The maintenance organisation must provide appropriate facilities at each location that are suitable for carrying out the maintenance that the organisation is approved to carry out at the location. The facilities must:

(a) protect aircraft and aeronautical products from contamination during maintenance; and

(b) if applicable, provide environmental conditions specified in the applicable maintenance data for carrying out the maintenance; and

(c) allow maintenance to be carried out:

(i) at a comfortable temperature; and

(ii) with appropriate levels of lighting; and

(iii) without undue noise distraction; and

5.2.2 The maintenance organisation must provide office accommodation for the management and other personnel that are suitable for performing their duties and for maintenance personnel to complete maintenance records. The accommodation must be of a standard that will allow them to perform their duties without undue distraction or discomfort.

5.2.3 The maintenance organisation must provide storage facilities to ensure secure storage of:

(a) aeronautical products and materials; and

(b) tooling and equipment and;

(c) maintenance records.

The storage facilities must protect the stored items from damage and deterioration.

5.2.4 The maintenance organisation must ensure storage facilities allows for segregation of serviceable and unserviceable:

(a) aeronautical products; and

(b) tools and equipment.

5.3 Tools and Equipment

5.3.1 The maintenance organisation must have all tools and equipment necessary for carrying out of the maintenance that the organisation is approved to carry out except where a tool or equipment is infrequently used, the organisation must have method to access that tool or equipment when needed.

5.3.2 The maintenance organisation must ensure that tools and equipment are maintained in proper working order and stored appropriately to prevent damage and deterioration.

5.3.3 The maintenance organisation must ensure measuring and testing equipment that require calibration are controlled and calibrated at appropriate intervals to ensure serviceability and accuracy considering:

(a) the tool or equipment manufacturer's recommendations; and

(b) applicable national standards; and

(c) the extent of use and reliability of the item;

5.3.4 If the maintenance organisation becomes aware that a tool or equipment that was not properly calibrated was used to carry out maintenance on an aircraft or aeronautical product, the organisation must consider the effect of the maintenance on the aircraft or the product and take action to address any safety concerns.

5.3.5 The maintenance organisation must ensure that equipment or tools which belong to an employee or which are provide by another person, comply with the maintenance organisation's procedures for maintenance and calibration for these.

5.3.6 If the maintenance organisation proposes to use tools or equipment other than that is specified in the maintenance data for the maintenance, the maintenance organisation must ensure that the substitute tools or equipment have been evaluated and determined to perform its functions to at least the same standard as the specified tooling or equipment.

5.4 Maintenance data

5.4.1 The maintenance organisation must have access to all applicable maintenance data for maintenance that the organisation is approved to carry out.

5.4.2 The maintenance organisation must ensure that the maintenance data is current and applicable to the maintenance being carried out and this obligation extends to any data that is provided by another person.

5.4.3 The maintenance data must be available to the maintenance personnel at the time they carry out the maintenance and any other time they need it.

5.4.4 The maintenance organisation must ensure that any inaccurate, inappropriate, incomplete or ambiguous maintenance data is not used to carry out maintenance and the person responsible for publishing the data is notified to amend the data.

5.5 Personnel – general

5.5.1 The maintenance organisation must have sufficient personnel to plan, carry out, supervise and certify for the planned level of maintenance taking into account human performance limitations.

5.5.2 The maintenance organisation must ensure personnel that are required under subsection 5.5.1 are competent to perform the tasks they are required to perform.

5.6 Management personnel

5.6.1 The maintenance organisation must nominate an accountable person who has the ultimate authority and responsibility for ensuring that the organisation:

(a) has adequate resources to carry out maintenance to the standards required by the legislation; and

(b) complies with:

(i) the organisation's procedures manual; and

(ii) the limitations and conditions of the approval certificate; and

(iii) applicable legislation.

5.6.2 The accountable person must have:

(a) a comprehensive understanding of his or her obligation under the legislation; and

(b) a general understanding of the legislation related to continuing airworthiness of aircraft and aeronautical products; and

(c) a general understanding of the organisation's manual.

5.6.3 The maintenance organisation must nominate one or more appropriately qualified responsible persons with the responsibility for controlling the activities of the organisation that are assigned to the position, to ensure that the activities are carried out according to:

(a) the organisation's procedures manual; and

(b) the limitations and conditions of the approval certificate; and

(c) applicable legislation.

5.6.4 The responsible persons required under 5.6.3 must report to the accountable person in relation to their responsibility.

5.6.5 The responsible persons required under 5.6.3 must have:

(a) a comprehensive understanding of continuing airworthiness legislation that relate to their responsibilities; and

(b) a comprehensive understanding of the process and procedures in the organisation's procedures manual that relates to their responsibilities; and

(c) experience in the maintenance of aircraft or aeronautical product for which they are responsible.

5.6.6 The maintenance organisation must nominate an appropriately qualified individual with responsibility for:

(a) managing the organisation's compliance monitoring system and

(b) ensuring that the individual who performs internal audits of the organisation is:

(i) competent to perform audits; and

(ii) independent of the activities being audited.

5.6.7 One individual may fill several or all of the management personnel positions provided the individual meets the qualification requirements and is able to fulfil the responsibilities of each position considering the size and complexity of the organisation.

5.7 Certification authorisation

5.7.1 The maintenance organisation must issue certification authorisation to individuals who, on behalf of the organisation:

(a) perform maintenance certification for maintenance carried out on aircraft or aeronautical products; or

(b) issue certificates of release to service for aircraft or aeronautical products;

5.7.2 Before a maintenance organisation issues a certification authorisation for an activity mentioned in subsection 5.7.1, the organisation must assess the competency of the individual to exercise the privileges of the certification authorisation.

5.7.3 When assessing the competency of an individual for the issue of a certification authorisation, the maintenance organisation must consider the individual's qualifications, training and experience that are relevant and must ensure that the individual meets the following minimum standards:

(a) the individual must be at least 21 years of age;

(b) the individual must have at least 6 months of relevant aircraft or aeronautical product maintenance experience in the 2-year period preceding the issue of the certification authorisation;

(c) for a certification authorisation to issue a certificate of release to service for aircraft in relation to maintenance carried out on the aircraft, the individual must hold an aircraft engineer licence with relevant privilege.

(d) for a certification authorisation to perform maintenance certification for maintenance carried out on an aircraft, other than welding and non-destructive testing which falls outside the scope of an aircraft engineer licence, the individual must hold an aircraft engineer licence with relevant privilege;

(e) for certification authorisation to perform maintenance certification for maintenance carried out on an aircraft that a pilot licence holder is authorised carry out, the individual must hold a category B1 or B2 aircraft engineer licence and must be trained by the maintenance organisation for the maintenance; or

(f) for performing verification of critical control system maintenance carried out on an aircraft, the individual must hold:

(i) an aircraft engineer licence that allows the individual to perform maintenance certification for critical control system maintenance on an aircraft having a control system of similar technology and construction; or

(ii) any other aircraft engineer provided the individual has been trained by the maintenance organisation to perform the independent inspection and has been assessed for the competency;

(g) for a certification authorisation to perform maintenance certification for non-destructive testing carried out an aircraft or aeronautical product, the individual must hold:

(i) an applicable authorisation issued by CASA; or

(ii) applicable aviation industry qualification for non-destructive testing.

(h) for a certification authorisation to certify for welding task for an aircraft or aeronautical product, the individual must hold:

(i) an applicable CASA welding authority; or

(ii) an applicable aviation industry qualification for welding.

5.7.4 The maintenance organisation must keep records of assessment carried out under subsection 5.7.2. for the duration of 2 years after the expiry of the certification authorisation.

5.7.5 The maintenance organisation must ensure that any certification authorisation is issued for period not exceeding 2 years.

5.7.6 The certification authorisation must be issued to the individual in writing and must include the following information:

(a) the name of the authorised individual;

(b) the scope of the authorisation;

(c) reference number for the authorisation;

(d) the date of issue and expiry of the authorisation.

5.7.7 The maintenance organisation must have a certification authorisation register that contains the following information about each certification authorisation that the organisation has issued:

(b) the name of the authorised individual;

(c) the scope of the authorisation;

(d) the authorisation reference number;

(e) The date of issue and expiry of the authorisation.

5.8 Training

5.8.1 The maintenance organisation must assess training needs of all personnel and ensure that they are trained as required under this section.

5.8.2 The maintenance organisation must provide necessary training to all personnel on the relevant processes and procedures included in the manual which relate to the responsibilities of the personnel.

5.8.3 The maintenance organisation must provide necessary training to maintenance personnel in the following areas:

(a) technical training relating to aircraft and aeronautical product maintenance to ensure competency of personnel carrying out maintenance on aircraft or aeronautical products;

(b) training on use of equipment and tooling;

(c) training on aircraft ground handling and servicing;

(d) human factors and human performance issues;

5.8.4 The maintenance organisation must provide recurrent training to the maintenance personnel on the matters mentioned in subsection 5.8.3 based on the need.

5.8.5 The maintenance organisation must keep records of training provided to its personnel for 2 years after the personnel are no longer employed by the organisation in the position for which they were trained.

5.9 Handling and control of aeronautical products

5.9.1 The maintenance organisation must ensure that aeronautical products are protected from damage or deterioration during handling, shipping or storage.

5.9.2 The maintenance organisation must ensure that all incoming aeronautical products and associated documents are assessed to establish that the identity and condition of the product is consistent with information mentioned in the document.

5.9.3 The maintenance organisation must ensure that all aeronautical products under the possession of the organisation are classified based on their serviceability status, labelled, segregated and stored as per this section and any other relevant requirements of the legislation.

5.9.4 If the condition of an aeronautical product cannot be established, it must be segregated from other aeronautical products until the condition of the product is established.

5.9.5 The maintenance organisation must keep all documents that substantiate that an aeronautical product is serviceable, for the duration:

(a) the product is under the possession of the maintenance organisation; or

5.10 Use of worksheets for maintenance

5.10.1 The maintenance organisation must require the use of worksheets for:

(b) recording maintenance; and

(c) establishing progress and status of maintenance.

5.10.2 The worksheets must allow recording of all information that is required to be recorded in a maintenance record.

5.10.3 The maintenance organisation must ensure a maintenance task is divided into stages using worksheet which would allow separately recording maintenance for each stage if:

(b) the maintenance task is complex or extensive; or

(c) there is change of personnel during the maintenance.

5.10.4 If a maintenance task is divided into stages as per subsection 5.10.3, the maintenance organisation must ensure the maintenance data for the task is transcribed onto the worksheet or that the worksheet refers to the maintenance data for each stage of maintenance.

5.10.5 The maintenance organisation must ensure worksheets completed during maintenance are identified with unique identification and accounted for.

5.11 Contracting and sub-contracting maintenance

5.11.1 Contracting maintenance by a maintenance organisation means entering into an arrangement with another appropriately authorised person (a maintenance organisation or individual) that requires the person to:

(a) carry out maintenance on an aircraft and aeronautical product; and

(b) issue a certificate of release to service for the aircraft and aeronautical product in relation to the maintenance.

5.11.2 The maintenance organisation contracting the maintenance must verify that the contracted person holds the appropriate approval to carry out the maintenance on the aircraft or aeronautical product.

5.11.3 If the contracted person carries out the maintenance at the facility of the organisation that has contracted the maintenance, the organisation that has contracted the maintenance must facilitate carrying out of the maintenance and must take responsibility for the associated maintenance for which the contracted person is not responsible.

5.11.4 The maintenance organisation contracting the maintenance must ensure that the person contracted to carry out the maintenance has issued a certificate of release to service for the aircraft and aeronautical product in relation to the maintenance.

5.12 Sub-contracting maintenance

5.12.1 Subcontracting maintenance by a maintenance organisation means entering into an arrangement with another person (individual or organisation) who does not hold an authorisation to:

(a) carry out the maintenance on an aircraft and aeronautical product; and

(b) issue certificate of release to service for the aircraft and aeronautical product in relation to the maintenance.

5.12.2 The maintenance organisation may subcontract a person to carry out maintenance on an aircraft and aeronautical product provided:

(a) the maintenance organisation's scope of approval covers the maintenance;

(b) the subcontracted person has been assessed by the maintenance organisation and has been found to have the appropriate personnel, facility, tools, equipment and access to data required under the legislation to carry out the maintenance;

(c) the subcontracted person is listed or referred to in the maintenance organisation's manual as a subcontractor;

(d) the maintenance organisation ensures that the maintenance is carried out in an appropriate facility, using tools, equipment and data that are required under the legislation to carry out the maintenance;

(e) maintenance is carried out under the control and supervision of the maintenance organisation using procedures set out in the organisation's manual;

(f) maintenance certification for the maintenance is carried out by an individual authorised by the maintenance organisation and on the worksheet of the organisation.

5.13 Compliance monitoring

5.13.1 The maintenance organisation must carry out independent audits to monitor:

(a) the organisation's compliance with the requirements of the legislation and its exposition; and

(b) the adequacy of the organisation's process and procedures in ensuring compliance with requirements of the legislation; and

(c) the standard of maintenance being carried out on the aircraft meets the requirements of legislation.

5.13.2 The audit must be carried out in accordance with a documented plan which ensures all items to be audited under subsection 5.10.1 are audited once every 12 months.

5.13.3 The maintenance organisation must ensure all audit findings are recorded and:

(a) reported to;
  (i) the accountable person; and
  (ii) the responsible person who is responsible for the process and procedures to which the finding relates or is responsible for complying with requirement to which the finding relates.

5.13.4 The maintenance organisation must ensure:

(a) corrective and preventative actions are implemented for any deficiencies identified in the audit findings; and
(b) feedback is provided to the person responsible for compliance monitoring about the corrective and preventative action implemented.

5.13.5 The audits must be carried out by individuals who are independent of the items being audited and who:

(a) have comprehensive knowledge of the maintenance organisation's exposition; and
(b) have knowledge of the legislation applicable to maintenance of aircraft and aeronautical products; and
(c) have:
  (i) successfully completed a course in quality audit which is at least equivalent to the type of course required for a person to gain certification as a lead auditor; or
  (ii) 3 years' experience in performing audit of an organisation's process and procedures.

5.13.6 The maintenance organisation must keep records containing the following information in relation to the audit:

(a) the scope and contents of the audit;
(b) when the audit was carried out;
(c) the identity of each individual performing the audit;
(d) the findings of the audit;
(e) details of preventive and corrective actions implemented for any deficiencies identified in the findings of the audit.

5.13.7 The records mentioned in subsection 5.13.6 must be kept for at least 2 years from the date the audit was conducted.

5.14 Safety management system

Content to be added …

5.15 Human Factors

5.15.1 The maintenance organisation must implement maintenance practices that are consistent with human factors principles and human performance limitations taking into account the requirements of this Section and any other requirements of the legislation that applies to the performance of the maintenance.

5.15.2 The maintenance organisation must consider of human performance limitations when planning and scheduling maintenance to ensure maintenance can be completed without undue haste and within the limitations of human performance

5.15.3 The maintenance organisation must ensure that an employee does not perform maintenance if the employee's capacity to perform the maintenance is significantly impaired.

5.15.4 The maintenance organisation must ensure that there is communication of information about the progress and status of maintenance, when there is change of personnel carrying out particular maintenance.

5.16 Records

5.16.1 The maintenance organisation must keep all records that must be kept under the legislation for the duration mentioned in the legislation.

Section 6 Additional privilege of a maintenance organisation

6.1 Fabrication in course of maintenance

6.1.1 The maintenance organisation may fabricate parts, for an aircraft on which it is carrying out maintenance, in accordance with the requirements of the legislation.

6.1.2 The organisation must have the appropriate technical capabilities such as facilities, tools, equipment and competent persons for the fabrication process.

Note: *The policy for the circumstances under which a part may be fabricated how it must be fabricated by a maintenance organisation is included in Annex 2 subsection E.5.*

6.2 Changing maintenance data

6.2.1 The maintenance organisation may change maintenance data to rectify inaccurate, inappropriate, incomplete or ambiguous maintenance data.

6.2.2 If the maintenance organisation wants to rectify inaccurate, inappropriate, incomplete or ambiguous maintenance data, the organisation must produce changed data in writing and must ensure:

(a) the changed data provides for the same maintenance outcome that is intended by the original data;

(b) the change is purely procedural and does not change any limits, inspection or test parameters mentioned in the original maintenance data;

(c) the changed data is clearly identified as data changed by the maintenance organisation;

(d) the change to data is approved by an individual who has been authorised by the maintenance organisation for this purpose.

6.2.3 The individual approving the changed data must ensure:

(a) the data is changed in accordance with the requirement of subsection 6.2.2;

(b) the changed data provides for safe maintenance practice, airworthy aircraft or serviceable aeronautical products.