

## Proposed Part 43 Legislation – Maintenance of aircraft in private and aerial work operations - (CD 2104SS)

### SAAA Response – 20220615

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## Page 1. Personal information

First name

*(Required)*

John

Last name

*(Required)*

Smith

Email address

*If you enter your email address you will automatically receive an acknowledgement email when you submit your response.*

Email

John.smith@saaa.com

Do your views officially represent those of an organisation?

*(Required)*

*Please select only one item*

- Yes, I am authorised to submit feedback on behalf of an organisation
- No, these are my personal views.

If yes, please specify the name of your organisation. Please note your submission may be considered as one response.

Sport Aircraft Association of Australia

Which of the following best describes the group/s you represent?

*Please select as many items as apply*

- Aircraft owner/operator
- Pilot
- Maintenance engineer
- Maintenance authorisation holder
- CAR 30 approval holder
- Part 145 approval holder
- Other

Please specify "Other" if selected.

SAO supporting experimental aircraft construction, maintenance and flight operations

## Page 2. Consent to publish submission

To provide transparency and promote debate, we intend to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

- **your last name** if the submission is made by you as an individual or
- **the name of the organisation** on whose behalf the submission has been made
- **your responses** and comments

We **will not** include any other personal or demographic information in a published response.

Information about how we consult and how to make a confidential submission is available on the [CASA website](#).

Do you give permission for your response to be published?

*(Required)*

*Please select only one item*

- Yes - I give permission for my response/submission to be published.
- No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.
- I am a CASA officer.

## Page 3. Maintainer privileges and limitations

**Question 1.** Do you have any suggestions for how we can more clearly reflect the expanded LAME privileges, conditions and limitations in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 2, Appendix 1

**Fact bank:** Divisions 2.1, 2.2, and 2.3 Part 43 MOS

**Link:** Information Sheet- [Role of the B1 LAME under Part 43](#)

**Link:** Information Sheet- [Role of the B2 LAME under Part 43](#)

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

### **PEG Introduction – What aircraft are covered – page 11**

“Note: Aircraft whose maintenance is administered by an approved self-administering aviation organisation (ASAO) are not subject to Part 43.”

Given the understanding that CASA is aiming to harmonise airworthiness regulations across GA – for the obvious reasons of reducing complexity, ensuring common standards, and finally achieving a common basis for achieving acceptable safety outcomes, this statement that Pt 43 does not apply to ASAOs seems totally inconsistent – and certainly not in the interests of “reducing red tape” which is a stated CASA goal.

**Question 2.** Do you have any suggestions for how we can more clearly reflect the provisions relating to grant of an Inspection Authorisation and the associated conditions and limitations in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 2

**Fact bank:** Division 2.4 Part 43 MOS

**Link:** Information sheet - [Inspection authorisation – Proposed under Part 43](#)

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

N/A

**Question 3.** Do you have any suggestions for how we can more clearly reflect the provisions for grant of an aircraft maintenance technician certificate and associated privileges, limitations and conditions in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 2

**Fact bank:** Division 2.5 Part 43 MOS

**Link:** Information sheet - [Aircraft Maintenance Technician Certificates – Proposed under Part 43](#)

Radio buttons

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

**PEG Introduction – What aircraft are covered – page 11**

“Note: Aircraft whose maintenance is administered by an approved self-administering aviation organisation (ASAO) are not subject to Part 43.”

Given the understanding that CASA is aiming to harmonise airworthiness regulations across GA – for the obvious reasons of reducing complexity, ensuring common standards, and finally achieving a common basis for achieving acceptable safety outcomes, this statement that Pt 43 does not apply to ASAOs seems totally inconsistent – and certainly not in the interests of “reducing red tape” which is a stated CASA goal.

**PEG Ch 2 - Requirements for obtaining aircraft maintenance technician certificates**

**(AMTC)s:**

“AMTC2 ...satisfy the authorised person .....” Define here in this section?

Would be useful to make it clear that this “authorised person” could be a person authorised to issue a SCoA, or a person / training provider / organisation authorised to issue a certificate of attainment (independently of a person authorised to issue a SCoA). Irrespective, the issuance of an AMTC2 certificate of attainment provides the basis and standard for determining competency.

BUT – the real issue is that has not been addressed is just how a person or organisation determines competency to hold an AMTC2 certificate. The question is what standard does whoever issues the AMTC2 certificate use to assess an applicant’s or candidate’s competency?

- In respect of “practical/knowledge/skill/capability to maintain”, the evidence will be the issuance of a SCoA that to all intents and purposes endorses the airworthiness of the aircraft (by definition this wouldn’t be possible if there is not sufficient competency existing or developed during the build) and accompanied by a statement (logbook entry, supported by a builder’s log) by the builder that they are the majority builder. So this part is clear cut.
- Next comes the matter of competency of the AMTC2 applicant to act an RO / maintainer capable of properly applying the regulations and understands how to do so in respect of aircraft documentation, records, use of data, and ongoing airworthiness management etc - how can a person or organisation effectively assess this competency without a standard. This is why the SAAA MTC Manual / course syllabus provides for – in the case of the AMTC2, and short course (instruction / exam / competency checks) to ensure adequate competency exists (this is in practice a replacement and albeit shortened more focused version of the current SAAA MPC course, which provides for the test of competency in this regard – and the builder must present the MPC certificate. This is today’s practice per past and current INST 18/22).
- We know from experience that most amateur builders are not familiar with the regulations, unless they already hold a relevant qualification – so there is a duty of care in ensuring the AMTC2 holders know how to administer / manage

airworthiness of their aircraft [Note: this a requirement, for example, for AMTC3, AMTC4, LAME's etc, so why not AMTC2?]

- Bottom line – if the SCoA has been issued; the “builder” commits to a statement that they are the majority builder, and an AMTC2 certificate of attainment is obtained – the applicant may be deemed competent. Simple – no guessing; no wondering what performance standard is required etc
- CASA is fully aware through their involvement of the development of the SAAA MTC courses of the above view. We believe a minimum instructional time must be defined to develop competency in the syllabus generally described above for AMTC2; current SAAA MTC definition provides for 8hrs classroom content plus self-study time and competency check time bring the total recommended instructional time to 20 hours of instructional time

## **PEG Ch 2 - Requirements for obtaining aircraft maintenance technician certificates**

“An applicant for an AMTC 3 must ... complete an approved course of at least 16 hours

Consider 16 hours is wholly inadequate without further qualification.

Clearly there will be applicants who have a great deal of experience, and hence the time required for them to receive adequate training time (instructional time) as a function of classroom or workshop activities, self-study and the taking of competency checks may well be achievable for a minimum of 16 hours but only with the application of proven / demonstrated “recognised prior learning” that can be aligned and correctly attributable to explicit elements of the syllabus and competency testing (exam / check) requirements. We must account for persons with little if any practical or technical knowledge – and 16 hours is not sufficient for persons in this position.

SAAA is of the opinion that in the order of 90 - 110 hours is the absolute minimum benchmark total instructional time (as a function of classroom or workshop activities, self-study and competency checks) to complete and attain competency certification in core (mandatory) topics and a selection of endorsements that collectively represent the kind of aircraft they wish to apply an AMTC3 certificate to. It would be very unlikely indeed for a person to wish, nor would it make any sense, to complete all the AMTC3 optional topics; for example – a AMTC3 holder seeking to inspect / certify a metal aircraft fixed gear piston aircraft need to obtain certification in composite, wooden or fabric structures; or turbine engines, or supercharged piston engines; or pressurisation systems; or hydraulics and retractable landing gear; and helicopters etc. As it happens, SAAA's current TBC hours to obtain certification for every single item of the SAAA AMTC3 syllabus is 130 -150 hours.

We have similar views in respect of AMC4 – in terms of the approach and ability, logically, for candidates to acquire selective endorsements to suit the kinds of aircraft they wish to maintain, excepting that the total hours to complete the syllabus is significantly higher because of the extent of “hands on maintenance (as distinct from inspection)” skills and competencies that must be developed to ensure safe maintenance outcomes. We do note and strongly support the MoS provision for an AMTC4 certificate holder to be shadowed by a competent qualified person on the occasion that they conduct each type / category of maintenance.

### **MOS 2.24 (1) – Additional eligibility criteria:**

“**AMTC2** ..... *Note* For example, an applicant could demonstrate to an authorised person who **will** issue the experimental certificate for the aircraft....”

A dangerous statement “..will issue a SCoA..” – suggest that to be in accordance with other CASRs, this must be adjusted to “..MAY...” (and as confirmed by CASA Sport Branch)

### **MOS 2.25 (1) – privileges and conditions:**

“ ..... A person who holds an AMTC2 may perform condition inspections of an aircraft to which the certificate applies....”

It does not make any sense to exclude “an essentially similar aircraft”. Bear in mind a CASA stated objective is to reduce “red tape” – so why not take the opportunity to do so, and make an improvement on the FARs? It is acknowledged the CASA proposal refers to the opportunity for a person to acquire an AMTC3 if they acquire another essentially similar aircraft that they did not build; it is unnecessary = “red tape”.

Bear in mind the current CASA INST 18/22 provides for “essentially similar aircraft” and has done in prior equivalent instruments for many many years. It would seem a backward step to now reverse this going forward.

Suggest change the wording to “...A person who holds an AMTC2 may perform condition inspections of an aircraft to which the certificate applies or to an essentially similar aircraft...”

### **MOS 2.24 – AMTC2 additional eligibility criteria:**

Included term “major portion” defined elsewhere refers:

**major portion** means that when the aircraft is completed:

- (a) if the aircraft is amateur-built — more than 50% of the fabrication and assembly tasks of the aircraft have been performed by the applicant; and
- (b) if the aircraft is kit-built — more than 50% of the assembly tasks have been performed by the applicant.

This is inconsistent with current practice defined per a combination of:

- CASA INST 18/22
- CAAP 42ZC-02
- CASR 21.191

The principal issue is that the INST 18/22 (and its predecessors) contain the following (which is not restricted to “50% or more”:

4 Authorisations to carry out maintenance on relevant aircraft

The following authorisations are given under Subregulation 42ZC (6) of CAR for the purposes of paragraph 42ZC (4) (e):

(a) a person who has fabricated and assembled more than half of a relevant aircraft is authorised to carry out maintenance on:

- (i) the aircraft; and
- (ii) any relevant aircraft of which the person is the sole owner and that is essentially similar to the aircraft;

**(b) a person (other than a person mentioned in paragraph (a)) who has contributed to the fabrication and assembly of an amateur-built aircraft that is a relevant aircraft is authorised to carry out maintenance on the aircraft**

We consider that, in this regard, current practice should be reflected in Pt 43 of the MoS. Further, to not do so is contrary to CASA’s stated intentions, such in the Pt 43 PEG “Introduction” page 8 per:

“.....Maintenance authority holders - Holders of maintenance authorisations (MA) issued under CAR will be issued with an AMTC without loss of privileges.....”

### **MOS 2.34 (2) – Circumstances in which an AMTC may be granted:**

“ ..... An application for an AMTC2, AMTC3 or AMTC4 may be made to, and granted by, an authorised person appointed to grant the class of AMTC...”

Suggest defining the authorised person – per above point (PEG Ch 2) – for the avoidance of doubt.

Suggested words: “An application for an AMTC2, AMTC3 or AMTC4 may be made to, and granted by, an authorised person (who may be either a person authorised to issue a SCoA in the case of AMTC2, or a person / training organisation authorised to issue a certificate of attainment in the case of all of AMTC2, AMTC3 and AMTC4) appointed to grant the class of AMTC...”

**Question 4.** Do the draft MOS provisions above accurately reflect the agreed policy decisions as set out in the summary of proposed change on CD 2104SS.

Radio buttons

- Yes
- No (please explain why below)
- Undecided /not sure

Comments

N/A

## Page 4. Responsibilities of the registered operator

**Question 1.** Do you have any suggestions for how we can more clearly reflect the responsibilities of the registered operator (RO) for a light sports aircraft (LSA) in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 1, Chapter 3

**Fact bank:** Division 3.2 Part 43 MOS

**Link:** Information sheet – [Maintenance of Amateur-built Aircraft and Light Sport Aircraft](#)

Radio buttons

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

**Major repairs & major modifications**  
It is not clear how major repairs & major modifications are to be handled in respect of Registered Operators of ABE, ABAA, Exp LSA and Cert LSA aircraft - if not otherwise defined in aircraft's SCoA. Note:

- In the case of SAAA AP issued SCoAs, the CASA approved SAAA AP Manual of Procedures requires a SCoA to note certain provisions in this regard – including referral to either an AP or CASA
- However, this may not be the case for SCoAs otherwise issued

**Question 2.** Do you have any suggestions for how we can more clearly reflect the requirements relating to aircraft maintenance in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 3

**Fact bank:** Division 3.3 Part 43 MOS

**Fact bank:** PEG Appendix 2 (covers MOS Schedules 5 and 6)

**Fact bank:** Schedule 5 Part 43 MOS

**Fact bank:** Schedule 6 Part 43 MOS

**Fact bank:** Draft Advisory Circular 43-01 – Registered operators, responsibilities under Part 43

Radio buttons



- No, I am satisfied  
 Yes (please provide any alternative suggestions below)  
 Undecided /not sure

## Comments

### **PEG Introduction – What aircraft are covered – page 11**

“Note: Aircraft whose maintenance is administered by an approved self-administering aviation organisation (ASAO) are not subject to Part 43.”

Given the understanding that CASA is aiming to harmonise airworthiness regulations across GA – for the obvious reasons of reducing complexity, ensuring common standards, and finally achieving a common basis for achieving acceptable safety outcomes, this statement that Pt 43 does not apply to ASAOs seems totally inconsistent – and certainly not in the interests of “reducing red tape” which is a stated CASA goal.

### **MOS Schedule 6 - Preventative maintenance and pilot maintenance:**

The simple task of replacing brake discs, drums or pads and shoes seems an obvious omission from Sch 6 Pt 1

Tasks such as inspecting, cleaning, greasing etc wheel bearings is included – and so disassembly / reassembly of “a wheel” to do this (which includes discs, calipers, drums etc) makes it a simple step for such components as brake discs, drums or pads and shoes to be inspected carefully and accurately but also replaced if required.

Otherwise, whilst the list of items contained in Pt 1 and Pt 2 of schedule 7 is comprehensive, please ensure that all items previously covered in the current Schedule 8 are included in the Pt 43 Sched 6.

Whilst there are some references to “competence” albeit very few, we consider:

- Firstly, that reference to CASR 43.315 (1) “Ensuring individuals are competent to carry out maintenance” must be made in the MoS for **all** maintenance activities (incl. pilot maintenance)
- Further, it essential that a clear and comprehensive competency statement is included for all activities of maintenance (incl. pilot maintenance) – i.e. include a meaningful General Competency Rule (GCR) similar to the concept of Pt 61.385 in respect of pilot competency. There should be a “maintainer’s General Competency Rule”.
- In the absence of such GCR provision, and although not a preferred option, measures such mandatory “currency training” / “competency checks” (similar in nature to “Flight Reviews” / “Proficiency Checks”) must surely have to be considered. We have to bear in mind that AMTC2, 3 & possibly 4 holders may only practice the application of their certificates infrequently; they are not operating as most LAME’s do and so maintain currency and competency on a very frequent basis.
- SAAA’s own “Maintenance GCR” proposed to CASA, and included in the SAAA MTC Manual is as follows:

#### **The General Competency Rule for AMTC Certificate Holders**

The General Competency Rule is a cornerstone of achieving safe aircraft operations – in this context, through the conduct of correct and accurate aircraft inspection and maintenance activities.

Before commencing any activity permitted under an AMT certificate or endorsement, a person must ask themselves ‘Am I capable of conducting this activity competently?’

It means that an AMT certificate holder needs to be sure they are competent to inspect and maintain IAW their AMT certificate and endorsements.

The General Competency Rule in respect of aircraft inspection and maintenance activities covers but is not limited to:

- maintaining aircraft records, certification and use of data
- use of tools and the conduct of basic practices and procedures required to conduct aircraft maintenance and aircraft periodic or any other inspection

AMT Certificate Holders should also consider how familiar they are with a particular inspection and maintenance activity if they have not conducted that activity for some time.

### **MOS Schedule 7 - Weighing of Aircraft:**

Part 1 Weight and Balance 1.1 Initial weighing para (2):

We suggest add a new sub-clause (d) per:

(d) an AMTC1 or the builder may weigh the aircraft to determine the centre of gravity according to procedures provided respectively by the aircraft manufacturer, or the aircraft kit manufacturer or designer.

Part 1 Weight and Balance 1.1 Initial weighing:

As written, this does not provide for the builder / owner or a non-builder owner of an experimental aircraft to acquire a certificate to conduct a weight and balance (initial or otherwise) IAW the current CASA approved SAAA managed course and method of attainment of a certificate in respect of experimental aircraft IAW with weighing authority CAO 100.7 Sect 4.1A. The CASA approved course exists; it has been a means for experimental aircraft owners to derive a weight and balance report.

The MoS needs to provide preservation of this course and its legal effect.

Note also that the current SAAA W & B cert is only valid for a period of 2 yrs; just is currently the case for all CASA authorised WCOs. There needs to be some means to ensure currency / competency for such an important task, and if not provided for as is currently the case today, we suggest a method is stipulated that is consistent with other areas of airworthiness covered under Pt 43; namely that currency / competency be managed with as appropriate either simple proficiency checks or personal responsibility to determine competency / currency (IAW a maintenance GCR or incorporated in a new AC – see also below comments).

Part 1.1 Weight and Balance - 1.5 Scales — calibration and operation:

This requires the use of manufacturer’s scales recalibration requirements – but, to cover event if there are none, we suggest following provision is added:

“... If no manufacturer’s requirements are available, the scales should be recalibrated at intervals of no more than 12 months.” (i.e. IAW current CAO 100.7 requirements)”

Other aspects of weight & balance

There are important aspects of weight and balance activities, many of which are covered under the current CAO Section 100.7 Section 6.3 but which are not covered or replicated in the Pt 43 MoS. If not to be covered or replicated in the MoS, then perhaps it would be prudent to include these matters in particular in a new specific AC that provides an up to date, easily updateable, practical resource for anyone performing W&B.

Examples for items to be included in a specific “W & B AC” could include most of - if not all W&B matters of detail in the proposed MoS (i.e. move from MoS to AC) plus items below such as:

CAO 100.7 6.3 Unless otherwise agreed to by CASA, the load data sheet for an aircraft must be renewed before further flight whenever, as the result of a modification or as otherwise shown in the record of weight alterations, changes exceeding the following have occurred:

(a) for aeroplanes:

- (i) the empty weight has changed by more than 0.5% of the MTOW or 10 kg, whichever is the greater; or
- (ii) the empty weight CG has changed by more than 2% of the maximum permissible centre of gravity range or 5 mm, whichever is the greater; and

(b) for rotorcraft:

- (i) the empty weight has changed by more than 1% of the MTOW or 10 kg, whichever is the greater; or
- (ii) the empty weight CG has changed by more than 10 mm or 10% of the maximum permissible centre of gravity range, whichever is the lesser.

Not currently included in 100.7, but we also believe that the new Pt 43 / Pt 43 MoS or a new specific AC provides the opportunity to improve on some aspects of 100.7:

- the requirement to re-weigh after a re-paint must be stipulated
- although not directly related to W & B of a whole aircraft, special consideration should be given (and mentioned) possibly in the new Pt 43 MoS Schedule 7 to check / re-check the mass balance of flight control surfaces subsequent to paint / re-paint.

**Question 3.** Do you have any suggestions for how we can more clearly reflect the provisions relating to aircraft inspections in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 3, Appendix 2

**Fact bank:** Division 3.4 Part 43 MOS

**Fact bank:** PEG Appendix 2 (covers MOS schedules 1 and 2)

**Fact bank:** Schedule 1 Part 43 MOS

**Fact bank:** Schedule 2 Part 43 MOS

**Fact bank:** Draft Advisory Circular 43-02 – Inspection of aircraft-Requirements

**Link:** Information sheet – [Aircraft inspections – Proposed under Part 43](#)

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

**PEG Introduction – What aircraft are covered – page 11**

“Note: Aircraft whose maintenance is administered by an approved self-administering aviation organisation (ASAO) are not subject to Part 43.”

Given the understanding that CASA is aiming to harmonise airworthiness regulations across GA – for the obvious reasons of reducing complexity, ensuring common standards,

and finally achieving a common basis for achieving acceptable safety outcomes, this statement that Pt 43 does not apply to ASAOs seems totally inconsistent – and certainly not in the interests of “reducing red tape” which is a stated CASA goal.

### **MOS Schedule 1 - Inspection**

#### **Section 5 Engines - General:**

Whilst there are several “systems” referred to, there seems to be no mention of somewhat important air filtering, induction systems; fuel pumping, filtering, supply systems; fuel metering, carburation, injection etc systems; ignition systems (other than plugs)

Suggest above added so that emphasis is placed on all important / critical engine systems

#### **Section 7 Landing gear – (i) brakes:**

Suggest add – modify to read “- for improper adjustment and wear of discs / pads, and drums / shoes”

**Question 4.** Do you have any suggestions for how we can more clearly reflect the provisions relating to testing of aeronautical products in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Appendix 2 (covers MOS Division 3.5 and schedules 3 and 4)

**Fact bank:** Division 3.5 Part 43 MOS

**Fact bank:** Schedule 3 Part 43 MOS

**Fact bank:** Schedule 4 Part 43 MOS

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

N/A

**Question 5.** Do you have any suggestions for how we can more clearly reflect the provisions relating to aircraft maintenance records in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 1, Chapter 3

**Fact bank:** Division 3.6 Part 43 MOS

**Link:** Information sheet - [Requirements for maintaining records](#)

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

### **Maintenance Releases**

Dispensing with the well understood and proven Maintenance Release for all categories of aircraft to which Part 43 pertains seems a retrograde step.

The MR has served us well for a very long time => why make the transition harder than it need be? Seems unnecessary “red tape” and introduces a parallel and different system

from the continued use (presumably) of MRs for commercial aircraft (i.e. those other than to which Part 43 pertains).

Bear in mind a CASA stated objective is to reduce “red tape” – so why create “red tape” and create more work / create complexity for operators / maintainers? Put another way – what is the benefit of disposing of the MR? (Apart from the fact that – it is not in the FAA FAR equivalent).

Further, if the MR is dismissed per the proposed Pt 43 provisions, this immediately creates inconsistencies with CASRs:

- CASR 91.110 Carriage of documents for certain flights (requires an MR)
- CASR 91.145 Requirements to be met before Australian aircraft may fly (also refers to MRs)

At the end of the day, the MR is an extremely useful and essential tool that enables the prior activity of an aircraft to be easily understood, any issues of airworthiness to be discoverable and to determine if the annual inspection of the aircraft is still current (in other words whether the aircraft may be legally flown). A few remarks:

- How is a pilot supposed to record maintenance activities while away from the home base of the aircraft?
- What if the aircraft has some “schedule” maintenance activity that is to be performed at time-in-service or at a predetermined date, how would a pilot of an aircraft become aware of this?
- A MR can be considered a temporary logbook that can be carried in the aircraft.
- What is CASA going to do at a RAMP CHECKs, they usually ask to see a MR.
- Where are oil uptakes going to be recorded on; and other parameters such as numbers of landings, pressurisation cycles etc and regular occurring activities that have a material impact on airworthiness management
- How is a pilot going to ground an aircraft after a heavy landing and feels it need inspecting, the MR is usually used to ground an aircraft until such inspection especially with aircraft that are flown by many pilots.
- See also CAR 47 (1) (a) and (b) see also CAR 43, 46, CAR 43B, 48, 49 & 50
- How is a pilot going to know if an aircraft is not serviceable for other than day VFR? i.e. an endorsement is made in a MR indicating the aircraft is OK for day VFR but not Night VFR or IFR.
- A Daily inspection is recorded where? Is usually in the MR
- And lastly, how is the new MoS 3.26 (1) (a) to be complied with without an MR – in what document is such compliance to be recorded? See below; further the wording of relevance of the reference to clause 4(a)(i) is not clear

3.26 Maintenance records to be kept

Source FARs sections 91.417 and 43.9

(1) The registered operator of an aircraft must ensure that the information mentioned in this section is:

(a) recorded in writing, before the aircraft is returned to service, in accordance with this section, and the information mentioned in subparagraph **4) (a) (i) recorded immediately after the last flight of a day; and**

**Question 6.** Do the draft MOS provisions above accurately reflect the agreed policy decisions as set out in the summary of proposed change on CD 2104SS.

Radio buttons

- Yes
- No (please explain why below)
- Undecided /not sure

Comments

N/A

## Page 5. Maintenance performance rules

**Question 1.** Do you have any suggestions for how we can more clearly reflect the provisions relating to overhauling and rebuilding aircraft, or aeronautical products in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Appendix 2

**Fact bank:** Section 4.03 Part 43 MOS

**Link:** Information sheet – [Piston engine overhaul – Proposed under Part 43](#)

Radio buttons

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

**MOS 4.03 Overhauling and rebuilding aircraft or aeronautical products:**

There is currently no reference to how overhauling and rebuilding aircraft or aeronautical products are handled wrt Exp Category aircraft – the Part 43 needs to ensure and maintain the existing provisions. All that the MoS seems to do – per Section 4.02 – Application (of Section 4) is direct that Section 4.03 does not apply to Experimental, ABAA and some certain other aircraft.

**Question 2.** Do you have any suggestions for how we can more clearly reflect the provisions relating to persons who can carry out maintenance and how it is to be carried out in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 2, Chapter 3

**Fact bank:** Section 4.04 to 4.11 Part 43 MOS

Radio buttons

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

None excepting other related comments

**Question 3** Do you have any suggestions for how we can more clearly reflect the provisions relating to aircraft maintenance records in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 1, Chapter 3

**Fact bank:** Sections 4.12 to 4.17 Part 43 MOS

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

N/A

**Question 4.** Do you have any suggestions for how we can more clearly reflect the provisions relating to performance rules for inspections in the regulation, MOS or Plain English Guide?

**Fact bank:** PEG Chapter 3

**Fact bank:** Sections 4.18 to 4.21 Part 43 MOS

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

None excepting other related comments

**Question 5.** Do you have any suggestions for how we can more clearly reflect the provisions relating to airworthiness limitations in the regulation, MOS or Plain English Guide?

**Fact bank:** Section 4.24 Part 43 MOS

*Radio buttons*

- No, I am satisfied
- Yes (please provide any alternative suggestions below)
- Undecided /not sure

Comments

None excepting other related comments

**Question 6.** Do the draft MOS provisions above accurately reflect the agreed policy decisions as set out in the summary of proposed change on CD 2104SS.

Radio buttons

- Yes
- No (please explain why below)
- Undecided /not sure

Comments

N/A

## Page 6. Consequential amendments to legislative instruments

### Compensatory instruments

The Civil Aviation Regulations (CAR) comprised regulations and legislative instruments. The proposed Part 43 of CASR will be a comprehensive one stop regulation and MOS that will remove the complexities and deficiencies that necessitated the various compensatory instruments.

### Civil Aviation Orders (CAOs)

The Maintenance Civil Aviation Orders which set out matters that are either included in the new Part 43 MOS or not applicable to Part 43 maintenance will no longer apply. For Orders that will no longer apply please see fact bank below.

**Fact bank:** CAOs that will no longer apply.

<i>Content:</i>		
<b>Table:</b> Civil Aviation Orders that will no longer apply		
CAOs affected	Proposed change	Reason for change
<a href="#">CAO 95.56</a> Exemption, light sport aircraft	Disapply to Part 43	Relevant information and requirements are set out in the Part 43 MOS
<a href="#">CAO 100.5</a> General requirements in respect of maintenance of Australian aircraft	Disapply to Part 43	
<a href="#">CAO 100.7</a> Weight requirements for aircraft	Disapply to Part 43	
<a href="#">CAO 104.0</a> (Certificates of approval — application, grant and conditions)	Disapply to Part 43	

### Airworthiness Directives (ADs)

The following general Airworthiness Directives will no longer apply to Part 43 aircraft.

- AD/GENERAL/29 - Wooden Aircraft-Airframe structural inspection
- AD/GENERAL/87 - Primary flight control cable terminals -detailed visual inspections
- AD/ENG/4 - Piston Engine Continuing Airworthiness Requirements
- AD/ENG/5 - Turbine Engine Continuing Airworthiness Requirements
- AD/ENG/7 - Replacement of Life Limited Turbine Engine Components
- AD/PROP/1 - Propellers - Overhaul
- AD/PROP/2 - Feathering Propellers - Functional Check

For reasons as to why this is the case, please refer to the table in the fact bank below.

**Fact bank:** Why certain Airworthiness Directives will no longer apply.



Content:

**Table:** Airworthiness Directives that will no longer apply and why

Airworthiness Directives affected	Proposed change	Reason for change
<a href="#">AD/GENERAL/29</a> - Wooden Aircraft-Airframe structural inspection	Disapply to Part 43	The inspection requirements are set out in Part 43 MOS and the technical information is covered in guidance material (FAA AC 43-13)
<a href="#">AD/GENERAL/87</a> - Primary flight control cable terminals -detailed visual inspections	Disapply to Part 43	The inspection requirements are set out in Part 43 MOS and the technical information is covered in aircraft manufacturers instructions supplemented by guidance material (FAA AC 43-13)
<a href="#">AD/ENG/4</a> - Piston Engine Continuing Airworthiness Requirements	Disapply to Part 43	The engine inspection and testing requirements are set out in the Part 43 MOS
<a href="#">AD/ENG/5</a> - Turbine Engine Continuing Airworthiness Requirements	Disapply to Part 43	The engine inspection and testing requirements are set out in the Part 43 MOS
<a href="#">AD/ENG/7</a> - Replacement of Life Limited Turbine Engine Components	Disapply to Part 43	The requirements for replacement of life limited components are set out in the Part 43 MOS
<a href="#">AD/PROP/1</a> - Propellers – Overhaul	Disapply to Part 43	Propeller overhaul requirements are set out in the Part 43 MOS
<a href="#">AD/PROP/2</a> - Feathering Propellers - Functional Check	Disapply to Part 43	Functional checks are set out in Part 43 MOS

In disapplying the ADs, any matters considered essential to safety have been incorporated either in the regulation or the MOS.

Comments

No further comment

## Page 7: General comments

Do you have any additional comments about the proposed policy?

Please include any **impact** this change may have on you or your operation which has not already been covered in this consultation.

Comments

**1. Clarity in respect of the parts of the Pt 43 MoS that are relevant to ABE, ABAA, Exp LSA and (cert) LSA aircraft:**  
 It would be helpful for CASA to prepare a “plain English guide” perhaps in the form of an AC or even the Mos that spells out clearly what will be required of ROs / maintainers involved with ABE, ABAA, Exp LSA and (cert) LSA aircraft

## 2. FAA AC43.13-1(b) references

There are various references to, if no manufacturer's data is available, then reference should be made to FAA AC43.13-1(b) – this is fine, but it would be prudent to note a “caution” around US units commonly used and differences between those used elsewhere i.e. US Gals vs Imp Gals

## 3. The Pt 43 MoS is proposing renumbering many of the currently well-known and understood “Schedules” – for example:

- a. Current Sched 5 (CAAP 42B) => Sched 1 in the MoS
- b. Current Sched 8 => Sched 6 in the Mos
- c. Current Sched 6 (a very useful doc) = disappears – why?
- d. etc

In the interests of making the operating environment more efficient and less “red tape” driven – what is the benefit of introducing changes such as this?

Can the “numbering” not be rationalised / re-arranged so we continue to use the same “numbers” / “terms”? For example:

- a. Retain the current Sched 5 (number) for the new “Inspection Schedule” (currently proposed as Sched 1)
- b. Retain the current Sched 8 to contain the proposed Schedule 6 content
- c. And retain the current Schedule 6 as a home for, as it is today, a variety of CASA standard certification dox in respect of inspection and work certification, and AD acknowledgments
- d. etc

We believe this will be a significant improvement around clarity and reduced administrative burden for thousands of ROs.

## 4. MOS 2.32 General condition for AMTC

“...The holder of any AMTC may exercise the privileges of the certificate only if the holder:

- (a) keeps the certificate within the immediate area where the holder normally exercises the privileges of the certificate; and
- (b) if requested by CASA, gives the certificate to CASA for inspection...”

Is not clause 2.32 (a) unnecessary requirement?

## 5. Recognition of Prior Learning (RPL) principles

Whilst it may not be appropriate to cover RPL principles in the Pt 43 MoS in detail, we consider that it is important to acknowledge in the MoS that RPL principles are relevant in respect of any of the maintenance and inspection authorisation relevant to Pt 43.

Some examples to demonstrate circumstances where RPL could be applied:

1. An AMTC2 certificate holder obtained their AMTC2 certificate in association with their build of a metal airframe fixed gear piston engine experimental aircraft. Whilst still owning and operating this aircraft, they purchase an aircraft that is a fixed gear piston engine aircraft but has a composite airframe. They wish to be able to acquire an AMTC3 certificate so they can conduct and certify annual inspections of this aircraft that they did not build. As this aircraft is not an essentially similar aircraft, in view of its composite airframe, the application of RPL principles should mean that they are afforded full credit on all aspects of training required to obtain an AMTC3 certificate, except that they would need to obtain an endorsement specific to composite airframes. Apart this latter topic, they already have proven developed competency to conduct and certify annual inspection of this aircraft, and accordingly there should be no need for them study any other of the topics in the AMTC3 syllabus. [Note: There would obviously also be no need for them to train in matters of inspection relating to other kinds of aircraft features, such as turbine power plant, helicopter systems, pressurisation etc.]
2. An experienced aviator with a history of involvement in commercial and private operations, and also building and maintenance of their own experimental aircraft seek to obtain an AMTC4 certificate with endorsements to inspect and maintain either metal or composite airframe aircraft with piston engine power plants and either fixed or retractable

landing gear. Their total experience which is summarised below should position them to take advantage of RPL in respect of a very large component of the AMTC4 syllabus:

- a. Owned and operated a CASA approved workshop for a number of years. In that role had been signed out to do various task ICUS
  - b. Major works such as engines and propellers have been done under supervision of a LAME who is also an AP in respect of SCoAs
  - c. Own experimental aircraft (documented works)
    - i. Construct the aircraft - 2058 hrs
    - ii. Paint the aircraft - 310 hrs
    - iii. Hours flown approximately 1300
    - iv. 13 x 100 hrly services at ~22 hrs each - 286 hrs
    - v. Major engine work under supervision  
2 x approx. 28 hrs - 56 hrs
    - vi. Minor works
      - Tyres, wheels, bearings, brakes - 150 hrs (est)
      - Propellor removal & replace x 2 - 8 hrs
      - ADs – empennage modification - 26 hrs
      - Avionics - 40 hrs
      - Misc inspecting, checking - 100 hrs
- Est Total 3034 hrs** (or equivalent to 18 months full time work experience)