



# Civil Aviation Safety Regulations 1998

**Statutory Rules 1998 No. 237 as amended**

made under the

*Civil Aviation Act 1988*

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This compilation was prepared on 15 June 2012  
taking into account amendments up to SLI 2012 No. 107

The text of any of those amendments not in force  
on that date is appended in the Notes section

**[Note: Regulation 92.150 ceased to apply at the end of 31 December  
2006, see subregulation 92.150 (8)]**

This document has been split into four volumes  
Volume 1 contains Parts 1 to 42 (Rr. 1.001–42.1105)  
Volume 2 contains Parts 45 to 92 (Rr. 45.005–92.205)  
Volume 3 contains Parts 99 to 138 (Rr. 99.005–137.300)  
**Volume 4** contains Parts 139 to 202 (Rr. 139.005–202.900), the  
Dictionary and the Notes  
Each volume has its own Table of Contents

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra

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## Contents

### Part 139 Aerodromes

#### Subpart 139.A General

|         |   |    |
|---------|---|----|
| 139.005 | Applicability of this Part  | 32 |
| 139.010 | Definitions for this Part   | 32 |
| 139.015 | Standards for aerodromes  | 32 |
| 139.025 | Access to aerodromes  | 32 |
| 139.030 | Restrictions on use of terminal instrument flight procedures                      | 33 |
| 139.035 | No effect on operation of <i>Airports (Building Control) Regulations 1996</i> etc | 34 |

#### Subpart 139.B Certified aerodromes

##### Division 139.B.1 Aerodrome certificate

|         |   |    |
|---------|---|----|
| 139.040 | When an aerodrome certificate is required | 34 |
| 139.045 | Application for aerodrome certificate     | 35 |
| 139.050 | Grant of aerodrome certificate            | 35 |
| 139.070 | Suspension or cancellation by CASA        | 35 |
| 139.080 | Aerodrome certificate not transferable    | 36 |
| 139.085 | Temporary aerodrome certificate           | 36 |

##### Division 139.B.2 Aerodrome manual

|         |  |    |
|---------|--|----|
| 139.090 | Preparation and location of aerodrome manual   | 37 |
| 139.095 | Information to be included in aerodrome manual | 37 |
| 139.100 | Form of aerodrome manual                       | 48 |
| 139.105 | Amendments of aerodrome manual                 | 49 |
| 139.110 | Notice of amendments                           | 49 |
| 139.115 | Aerodrome manual controller                    | 49 |

##### Division 139.B.3 Operation and maintenance of a certified aerodrome

|         |  |    |
|---------|--|----|
| 139.120 | Care and diligence in operation and maintenance                        | 50 |
| 139.125 | Reporting officer  | 50 |
| 139.130 | Works safety officer for aerodrome works other than time-limited works | 51 |
| 139.135 | Works safety officer for time-limited works                            | 51 |
| 139.140 | Training of aerodrome personnel  | 51 |
| 139.145 | Aerodrome manual procedures  | 52 |
| 139.150 | Notice of deviation  | 52 |

|   | Page |
|---|------|
| 139.155 Notice of changes in physical condition etc of aerodrome    | 52   |
| 139.160 Notice of changes in information published in AIP-ERSA      | 53   |
| 139.165 Physical characteristics of movement area                   | 53   |
| 139.170 Aerodrome markings  | 53   |
| 139.175 Signal area   | 54   |
| 139.180 Wind direction indicators — general                         | 54   |
| 139.185 Wind direction indicators — requirement for certain runways | 55   |
| 139.190 Visual approach slope indicator system                      | 55   |
| 139.195 Lighting of movement area                                   | 56   |
| 139.200 Checking of lighting systems                                | 57   |
| 139.205 Aerodrome emergency committee                               | 57   |
| 139.210 Aerodrome emergency plan                                    | 58   |
| 139.215 Testing of aerodrome emergency plan                         | 59   |
| 139.220 Aerodrome serviceability inspections                        | 59   |
| 139.225 When aerodrome serviceability inspections must be conducted | 60   |
| 139.230 Aerodrome technical inspections                             | 61   |
| 139.235 When aerodrome technical inspections must be conducted etc  | 62   |
| 139.240 Who may conduct aerodrome technical inspections             | 63   |
| 139.245 Planning and execution of aerodrome works                   | 63   |
| 139.250 Safety management system                                    | 64   |
| <b>Division 139.B.4 Aerodromes to which A-SMGCS applies</b>         |      |
| 139.251 Definition for Division 139.B.4                             | 64   |
| 139.252 Designation of aerodromes to which A-SMGCS applies          | 64   |
| 139.254 Vehicles at aerodromes to which A-SMGCS applies             | 65   |
| <b>Subpart 139.C Registered aerodromes</b>                          |      |
| 139.255 Definition for this Subpart                                 | 67   |
| 139.260 Application for registration of aerodrome                   | 67   |
| 139.265 Registration of aerodromes                                  | 70   |
| 139.270 Notice of refusal to register aerodrome                     | 70   |
| 139.275 Register  | 70   |
| 139.280 Duration of registration                                    | 71   |
| 139.285 Cancellation of registration on request                     | 71   |
| 139.290 Suspension or cancellation of registration by CASA          | 71   |

---

|                         |  | Page |
|-------------------------|--|------|
| 139.295                 | Applicable standards for registered aerodromes   | 72   |
| 139.300                 | Reporting officer  | 72   |
| 139.305                 | Notice of changes in physical condition etc of aerodrome                                 | 73   |
| 139.310                 | Notice of changes in information published in AIP-ERSA                                   | 73   |
| 139.315                 | Safety inspections   | 73   |
| 139.320                 | Approval of persons to conduct aerodrome safety inspections                              | 75   |
| 139.325                 | Duration of approval   | 76   |
| 139.330                 | Suspension or cancellation of approval by CASA   | 76   |
| <b>Subpart 139.D</b>    | <b>Reporting officer and safety inspection requirements for certain other aerodromes</b> |      |
| 139.335                 | Aerodromes to which this Subpart applies   | 77   |
| 139.340                 | Reporting officer  | 77   |
| 139.345                 | Safety inspections   | 78   |
| <b>Subpart 139.E</b>    | <b>Obstacles and hazards</b>   |      |
| 139.350                 | Monitoring of airspace   | 80   |
| 139.355                 | Establishment of obstacle limitation surfaces  | 80   |
| 139.360                 | Notice of obstacles  | 81   |
| 139.365                 | Structures 110 metres or more above ground level   | 81   |
| 139.370                 | Hazardous objects etc  | 81   |
| <b>Subpart 139.F</b>    | <b>Aerodrome radio communication services</b>  |      |
| <b>Division 139.F.1</b> | <b>General</b>   |      |
| 139.375                 | Aerodrome operators to collect statistics if directed                                    | 83   |
| <b>Division 139.F.2</b> | <b>Frequency confirmation system</b>   |      |
| 139.380                 | Definitions for Division 139.F.2   | 83   |
| 139.385                 | Aerodromes that must have a frequency confirmation system                                | 84   |
| <b>Division 139.F.3</b> | <b>Air/ground radio service</b>  |      |
| 139.390                 | Definitions for Division 139.F.3   | 84   |
| 139.395                 | Air/ground radio service must be certified   | 85   |
| 139.400                 | Direction by CASA to provide CA/GRS  | 85   |
| 139.405                 | Voluntary provision of CA/GRS  | 85   |
| 139.410                 | Certification of air/ground radio service  | 85   |
| 139.415                 | General obligations of aerodrome operator  | 86   |
| 139.420                 | When CA/GRS must be operating  | 86   |

|  | Page |
|--|------|
| 139.425 Information about operating hours to be given to NOTAM Office                | 87   |
| 139.430 Certified air/ground radio operators   | 87   |
| 139.435 Offences   | 88   |
| <b>Subpart 139.H Aerodrome rescue and firefighting services</b>                      |      |
| <b>Division 139.H.1 General</b>  |      |
| 139.700 Applicability of this Subpart  | 88   |
| 139.705 Definitions for this Subpart   | 89   |
| 139.710 Functions of ARFFS   | 90   |
| 139.711 Person not to provide service without approval                               | 90   |
| 139.712 Issue of Manual of Standards   | 90   |
| 139.715 Effect of Manual of Standards  | 91   |
| <b>Division 139.H.3 Requirements to be complied with by ARFFS provider</b>           |      |
| 139.750 Requirements in this Division  | 91   |
| 139.755 Definition for Division — <i>applicable standards and requirements</i>       | 92   |
| 139.760 Inconsistency between Manual and chapter 9 of Annex 14                       | 93   |
| 139.765 Knowledge, equipment and expertise to deal with aviation hazards             | 93   |
| 139.770 General obligation to maintain service                                       | 93   |
| 139.771 Response time of ARFFS   | 93   |
| 139.772 Buildings and emergency facilities   | 94   |
| 139.773 Officer in charge  | 95   |
| 139.775 Notice about times service is available etc                                  | 95   |
| 139.780 Agreements with other fire fighting bodies                                   | 95   |
| 139.785 Stock of fire extinguishing agents   | 96   |
| 139.795 Extinguishing equipment and vehicles   | 96   |
| 139.800 Other vehicles and equipment   | 97   |
| 139.805 Vehicles and equipment for firefighting and rescue in difficult environments | 97   |
| 139.810 Commissioning of certain equipment   | 98   |
| 139.815 Protective clothing and equipment  | 98   |
| 139.820 Communications   | 98   |
| 139.825 Test and maintenance equipment   | 99   |
| 139.830 Commissioning of new vehicles and equipment                                  | 99   |
| 139.835 Number of operating personnel  | 99   |
| 139.840 Medical standard of firefighters   | 100  |
| 139.845 Qualifications and training of firefighters                                  | 100  |

|                         |   | Page |
|-------------------------|---|------|
| 139.850                 | Operations manual   | 100  |
| 139.855                 | Amendment of operations manual                                      | 101  |
| 139.860                 | Voice data recording  | 101  |
| 139.865                 | Record of accidents or incidents                                    | 101  |
| 139.870                 | Contingency plan  | 101  |
| 139.875                 | Records management  | 102  |
| 139.880                 | Organisation  | 102  |
| 139.885                 | System for rectification of service failures                        | 102  |
| 139.890                 | Quality control   | 103  |
| 139.895                 | Change management   | 103  |
| 139.900                 | Safety management   | 103  |
| 139.905                 | Applicant's organisation  | 103  |
| 139.910                 | Telling users and CASA about changes                                | 103  |
| <b>Division 139.H.4</b> | <b>Conduct of ARFFS operations</b>                                  |      |
| 139.915                 | Powers of officer in charge or firefighter                          | 104  |
| <b>Division 139.H.5</b> | <b>Administration</b>   |      |
| 139.920                 | Definition for Division   | 106  |
| 139.925                 | How to apply for approval as ARFFS provider                         | 106  |
| 139.965                 | When CASA must grant approval                                       | 108  |
| 139.970                 | When decision must be made  | 108  |
| 139.995                 | Application for variation of approval                               | 109  |
| 139.1005                | Suspension or continued suspension of approval by show cause notice | 109  |
| 139.1010                | Grounds for cancellation of approval                                | 110  |
| 139.1015                | Notice to approved ARFFS provider to show cause                     | 110  |
| 139.1020                | Cancellation of approval after show cause notice                    | 110  |
| 139.1022                | Cancellation if holder ceases to provide ARFFS                      | 111  |
| <b>Part 141</b>         | <b>Flying training organisations</b>                                |      |
| <b>Part 142</b>         | <b>Flight crew training and checking organisations</b>              |      |
| <b>Part 143</b>         | <b>Air Traffic Services Training Providers</b>                      |      |
| <b>Subpart 143.A</b>    | <b>General</b>  |      |
| 143.005                 | Applicability of this Part  | 114  |
| 143.010                 | Definitions for this Part   | 115  |
| 143.015                 | What is an ATS training provider                                    | 116  |

|                         | Page  |     |
|-------------------------|---|-----|
| 143.016                 | Person not to provide service without approval                    | 116 |
| 143.017                 | Issue of Manual of Standards                                      | 116 |
| <b>Subpart 143.B</b>    | <b>Approval as an ATS training provider</b>                       |     |
| 143.020                 | What an application must be accompanied by                        | 117 |
| 143.025                 | When applicant is eligible for approval                           | 117 |
| 143.027                 | CASA may impose conditions on approvals                           | 118 |
| 143.035                 | Approval not transferable   | 118 |
| 143.050                 | Variation of approvals  | 118 |
| <b>Subpart 143.C</b>    | <b>Requirements to be complied with by ATS training providers</b> |     |
| <b>Division 143.C.1</b> | <b>Requirements for training</b>                                  |     |
| 143.055                 | Standard for training   | 119 |
| 143.060                 | Training plan   | 119 |
| <b>Division 143.C.2</b> | <b>Personnel</b>  |     |
| 143.065                 | Personnel   | 119 |
| 143.070                 | Qualifications for certain personnel                              | 119 |
| <b>Division 143.C.3</b> | <b>Reference materials, documents and records</b>                 |     |
| 143.075                 | Reference materials   | 120 |
| 143.080                 | Material to be included in reference materials                    | 120 |
| 143.085                 | Documents and records   | 120 |
| 143.090                 | Document and record control system                                | 121 |
| <b>Subpart 143.D</b>    | <b>Telling CASA about changes</b>                                 |     |
| 143.095                 | Advice on organisational changes                                  | 121 |
| 143.100                 | Discontinuing training  | 121 |
| 143.105                 | Status as a Registered Training Organisation                      | 122 |
| <b>Subpart 143.E</b>    | <b>Miscellaneous</b>  |     |
| 143.110                 | Unapproved training   | 122 |
| <b>Subpart 143.F</b>    | <b>Administration</b>   |     |
| <b>Division 143.F.1</b> | <b>Preliminary</b>  |     |
| 143.115                 | Applicability of this Subpart                                     | 122 |
| <b>Division 143.F.2</b> | <b>Approvals</b>  |     |
| 143.118                 | Applying for approval   | 123 |
| 143.120                 | Joint applications not permitted                                  | 123 |
| 143.130                 | Applications by corporations etc — what must be included          | 123 |

|                         |   | Page |
|-------------------------|---|------|
| 143.145                 | CASA may require demonstrations of procedures or equipment                    | 123  |
| 143.175                 | Grant of approval   | 124  |
| 143.180                 | When decision must be made  | 124  |
| <b>Division 143.F.4</b> | <b>Suspension and cancellation of approvals</b>                               |      |
| 143.215                 | Definition for this Division  | 125  |
| 143.220                 | Suspension of approval by show cause notice                                   | 125  |
| 143.225                 | Grounds for cancellation of approval  | 125  |
| 143.230                 | Notice to show cause  | 126  |
| 143.235                 | Cancellation of approval after show cause notice                              | 126  |
| 143.245                 | Cancellation if cooperation or arrangement ceases                             | 126  |
| <b>Part 144</b>         | <b>Distribution organisations</b>   |      |
| <b>Part 145</b>         | <b>Continuing airworthiness — Part 145 approved maintenance organisations</b> |      |
| <b>Subpart 145.A</b>    | <b>General</b>  |      |
| 145.005                 | Purpose of Part   | 129  |
| 145.010                 | Definitions for Part  | 129  |
| 145.015                 | Part 145 Manual of Standards  | 131  |
| 145.020                 | Regulations 11.070 to 11.075 do not apply in relation to certain matters      | 132  |
| <b>Subpart 145.B</b>    | <b>Approval of Part 145 organisations</b>                                     |      |
| 145.025                 | Applying for approval   | 133  |
| 145.030                 | Issuing approval  | 133  |
| 145.035                 | Approval certificate  | 135  |
| 145.040                 | Privileges for Part 145 organisations   | 135  |
| 145.045                 | Approval subject to conditions  | 136  |
| <b>Subpart 145.C</b>    | <b>Changes to Part 145 organisations</b>                                      |      |
| 145.050                 | Application for approval of significant changes to organisations              | 136  |
| 145.055                 | Approval of significant changes   | 137  |
| 145.060                 | Changes to Part 145 organisations that are not significant changes            | 137  |
| 145.065                 | CASA may direct Part 145 organisations to change exposition                   | 138  |



|                      | Page   |
|----------------------|--|
| <b>Subpart 145.D</b> | <b>Requirements and offences for Part 145 organisations</b>                        |
| 145.070              | Provision of maintenance services 138  |
| 145.075              | Provision of permitted training 139  |
| 145.080              | Providing employees with exposition 139  |
| 145.085              | Complying with directions 140  |
| <b>Part 147</b>      | <b>Continuing airworthiness — maintenance training organisations</b>               |
| <b>Subpart 147.A</b> | <b>General</b>   |
| 147.005              | Purpose of Part 142  |
| 147.010              | Definitions for Part 142   |
| 147.015              | Part 147 Manual of Standards 145   |
| 147.020              | Regulations 11.070 to 11.075 do not apply in relation to certain matters 145       |
| <b>Subpart 147.B</b> | <b>Approval of maintenance training organisations</b>                              |
| 147.025              | Applying for approval 146  |
| 147.030              | Issuing approval 147   |
| 147.035              | Approval certificate 148   |
| 147.040              | Privileges for maintenance training organisations 149                              |
| 147.045              | Approval subject to conditions 149   |
| <b>Subpart 147.C</b> | <b>Changes to maintenance training organisations</b>                               |
| 147.050              | Application for approval of significant changes to organisations 149               |
| 147.055              | Decision on application for approval of significant changes 150                    |
| 147.060              | Changes to maintenance training organisations that are not significant changes 151 |
| 147.065              | CASA may direct maintenance training organisations to change exposition 151        |
| <b>Subpart 147.D</b> | <b>Requirements and offences for maintenance training organisations</b>            |
| 147.070              | Provision of maintenance training and assessment 152                               |
| 147.075              | Assessment of foreign licences 152   |
| 147.080              | Providing employees with exposition 153  |
| 147.085              | Complying with directions 153  |

---

|                      |   | Page |
|----------------------|---|------|
| <b>Part 149</b>      | <b>Recreational aviation administration organisations</b>                           |      |
| <b>Part 171</b>      | <b>Aeronautical telecommunication service and radionavigation service providers</b> |      |
| <b>Subpart 171.A</b> | <b>General</b>  |      |
| 171.005              | Applicability of this Part  | 155  |
| 171.010              | Interpretation  | 156  |
| 171.012              | Meaning of <i>telecommunication service</i>   | 159  |
| 171.015              | Person not to provide service without approval                                      | 159  |
| 171.017              | Issue of Manual of Standards  | 160  |
| <b>Subpart 171.B</b> | <b>Approval of service providers</b>  |      |
| 171.020              | Application   | 160  |
| 171.022              | Joint applications not permitted  | 161  |
| 171.025              | If applicant is a corporation   | 162  |
| 171.026              | CASA may ask for demonstration of service   | 162  |
| 171.027              | Grant of approval   | 162  |
| 171.028              | When decision must be made  | 162  |
| 171.029              | Conditions  | 163  |
| <b>Subpart 171.C</b> | <b>Obligations and privileges of service provider</b>                               |      |
| 171.030              | Service by provider   | 164  |
| 171.035              | Changes by service provider to service  | 164  |
| 171.040              | Changes by service provider to operations manual                                    | 165  |
| 171.050              | Technicians   | 165  |
| 171.055              | Test transmissions  | 165  |
| 171.065              | Interruption to service   | 166  |
| 171.070              | Test equipment  | 166  |
| 171.075              | Documents to be maintained  | 166  |
| 171.080              | Records   | 167  |
| 171.085              | Security program  | 168  |
| 171.086              | Safety management system  | 168  |
| <b>Subpart 171.D</b> | <b>Contents of operations manual</b>  |      |
| 171.090              | Operations manual to contain or refer to information                                | 168  |
| 171.095              | Organisation and management of service provider                                     | 169  |

|                         | Page  |     |
|-------------------------|---|-----|
| 171.100                 | Way in which standards are met  | 169 |
| 171.105                 | Functional specification and performance values of services                     | 169 |
| 171.110                 | Technical description   | 170 |
| 171.115                 | Safe operation  | 170 |
| 171.120                 | Facility operation and maintenance plan   | 171 |
| 171.125                 | Safety management system  | 172 |
| 171.140                 | Test equipment  | 172 |
| 171.145                 | Interruption to service   | 172 |
| 171.150                 | Document control  | 173 |
| 171.155                 | Security program  | 173 |
| 171.160                 | Changes to procedures   | 173 |
| <b>Subpart 171.E</b>    | <b>Suspension and cancellation of approvals, and directions to vary manuals</b> |     |
| 171.220                 | Suspension and cancellation of approvals  | 173 |
| 171.225                 | Notice to approval holder to show cause   | 174 |
| 171.230                 | Grounds for cancellation of approval  | 174 |
| 171.235                 | Cancellation of approval after show cause notice                                | 174 |
| 171.237                 | Cancellation if cooperation or arrangement ceases                               | 175 |
| 171.245                 | CASA's power to direct variation of manual                                      | 175 |
| <b>Part 172</b>         | <b>Air Traffic Service Providers</b>  |     |
| <b>Subpart 172.A</b>    | <b>General</b>  |     |
| 172.005                 | Applicability of this Part  | 178 |
| 172.010                 | Definitions for this Part   | 178 |
| 172.015                 | What is an ATS provider   | 179 |
| 172.020                 | Providing air traffic service without approval                                  | 179 |
| 172.022                 | Issue of Manual of Standards  | 179 |
| <b>Subpart 172.B</b>    | <b>Approval as an ATS provider</b>  |     |
| 172.024                 | Applicant for approval as ATS provider  | 180 |
| 172.030                 | When applicant is eligible for approval   | 181 |
| 172.040                 | Approval not transferable   | 181 |
| 172.055                 | Variation of approvals  | 181 |
| <b>Subpart 172.C</b>    | <b>Requirements to be complied with by ATS providers</b>                        |     |
| <b>Division 172.C.1</b> | <b>Operations manual</b>  |     |
| 172.060                 | Operations manual   | 181 |

|                         |  | Page |
|-------------------------|--|------|
| <b>Division 172.C.2</b> | <b>Air traffic service</b>                                     |      |
| 172.065                 | Standards for air traffic service                              | 182  |
| 172.070                 | Aeronautical telecommunications procedures                     | 182  |
| 172.075                 | ICAO Doc. 4444 and ICAO Doc. 7030                              | 182  |
| 172.080                 | Compliance with provider's operations manual                   | 183  |
| 172.085                 | Priority of standards  | 183  |
| 172.090                 | Priority of inconsistent procedures                            | 183  |
| <b>Division 172.C.3</b> | <b>Standards for facilities and equipment</b>                  |      |
| 172.095                 | Facilities and equipment                                       | 184  |
| <b>Division 172.C.4</b> | <b>Organisation and personnel</b>                              |      |
| 172.100                 | Definition for this Division                                   | 185  |
| 172.105                 | Organisation   | 185  |
| 172.110                 | Personnel  | 185  |
| 172.115                 | Supervisory personnel  | 185  |
| 172.120                 | Qualifications for certain personnel                           | 185  |
| <b>Division 172.C.5</b> | <b>Arrangements to maintain service</b>                        |      |
| 172.125                 | Agreements with service providers                              | 187  |
| 172.130                 | Agreements with aerodrome operators                            | 187  |
| 172.135                 | Arrangements for transfer of information                       | 187  |
| <b>Division 172.C.6</b> | <b>Management</b>  |      |
| 172.140                 | Training and checking program                                  | 188  |
| 172.145                 | Safety management system                                       | 188  |
| 172.150                 | Contingency plan   | 188  |
| 172.155                 | Security program   | 189  |
| <b>Division 172.C.7</b> | <b>Reference materials, documents, records and log books</b>   |      |
| 172.160                 | Reference materials  | 189  |
| 172.165                 | Documents and records  | 190  |
| 172.170                 | Document and record control system                             | 190  |
| 172.175                 | Logbooks   | 190  |
| <b>Division 172.C.8</b> | <b>Notice of air traffic service</b>                           |      |
| 172.180                 | Availability of air traffic service                            | 191  |
| <b>Subpart 172.D</b>    | <b>Telling CASA about changes</b>                              |      |
| 172.185                 | Advice on organisational changes                               | 191  |
| 172.190                 | Discontinuing air traffic service                              | 191  |
| <b>Subpart 172.E</b>    | <b>Miscellaneous</b>   |      |
| 172.195                 | ATS provider must not provide unauthorised air traffic service | 192  |

|   | Page |
|---|------|
| <b>Subpart 172.F Administration</b>   |      |
| <b>Division 172.F.1 Preliminary</b>   |      |
| 172.200 Applicability of this Subpart   | 192  |
| <b>Division 172.F.2 Approvals</b>   |      |
| 172.202 Applying for approval   | 192  |
| 172.205 Joint applications not permitted  | 192  |
| 172.215 Applications by corporations etc — what must be included  | 193  |
| 172.230 CASA may require demonstrations of procedures or equipment  | 193  |
| 172.260 When CASA must approve an applicant   | 193  |
| 172.265 When decision must be made  | 194  |
| 172.270 Conditions  | 194  |
| <b>Division 172.F.4 Directions to amend provider's operations manual</b>  |      |
| 172.300 CASA may direct amendments to provider's operations manual  | 195  |
| <b>Division 172.F.5 Suspension and cancellation of approvals</b>  |      |
| 172.305 Definition for this Division  | 195  |
| 172.310 Suspension of approval by show cause notice   | 195  |
| 172.315 Grounds for cancellation of approval  | 196  |
| 172.320 Notice to show cause  | 196  |
| 172.325 Cancellation of approval after show cause notice  | 196  |
| 172.327 Cancellation if cooperation or arrangement ceases   | 197  |
| <br>  |      |
| <b>Part 173 Instrument flight procedure design</b>  |      |
| <b>Subpart 173.A General</b>  |      |
| 173.005 Applicability   | 201  |
| 173.010 Definitions for this Part   | 201  |
| 173.015 What is a <i>certified designer</i>   | 203  |
| 173.020 What is a <i>procedure design certificate</i>   | 203  |
| 173.025 What is an <i>authorised designer</i>   | 203  |
| 173.030 What is a <i>procedure design authorisation</i>   | 203  |
| 173.035 Design, review or amendment of terminal instrument flight procedures — requirement for procedure design certificate etc | 204  |
| 173.040 Designing instrument flight procedures other than terminal instrument flight procedures                                 | 206  |

|                         |   | Page |
|-------------------------|---|------|
| <b>Subpart 173.B</b>    | <b>Certified designers</b>  |      |
| <b>Division 173.B.1</b> | <b>Certification as certified designer</b>                        |      |
| 173.045                 | Applications for procedure design certificates                    | 206  |
| 173.050                 | Criteria for grant of procedure design certificates               | 207  |
| 173.055                 | Procedure design certificate                                      | 208  |
| 173.065                 | How long procedure design certificates remain in force            | 208  |
| 173.070                 | Applications to vary procedure design certificates                | 208  |
| <b>Division 173.B.2</b> | <b>Requirements to be complied with by certified designers</b>    |      |
| 173.075                 | Certified designer to maintain operations manual                  | 208  |
| 173.080                 | Compliance with operations manual                                 | 209  |
| 173.085                 | Standards for design of terminal instrument flight procedures etc | 209  |
| 173.090                 | Verification of terminal instrument flight procedures             | 209  |
| 173.095                 | Validation of terminal instrument flight procedures               | 211  |
| 173.100                 | Publication of terminal instrument flight procedures              | 211  |
| 173.105                 | Radio navigation aids   | 212  |
| 173.110                 | Maintenance of terminal instrument flight procedures              | 212  |
| 173.115                 | Certified designer to provide facilities etc                      | 213  |
| 173.120                 | Certified designer to have appropriate organisation               | 213  |
| 173.125                 | Certified designer to have sufficient personnel                   | 214  |
| 173.130                 | Supervisory personnel   | 214  |
| 173.135                 | Certified designer to appoint chief designer                      | 214  |
| 173.140                 | Certified designer to provide training and checking program       | 215  |
| 173.145                 | Certified designer to have safety management system               | 215  |
| 173.150                 | Certified designer to maintain reference materials                | 215  |
| 173.155                 | Certified designer to keep documents and records                  | 215  |
| 173.160                 | Certified designer to have document and record control system     | 216  |
| <b>Division 173.B.3</b> | <b>Chief designer</b>   |      |
| 173.165                 | Approval for appointment of chief designer                        | 216  |
| 173.170                 | Approval for appointment to act as chief designer                 | 216  |
| 173.175                 | Appointment likely to have adverse effect on air safety           | 217  |
| 173.180                 | Chief designer's functions and duties                             | 218  |
| 173.185                 | Duration of approval  | 218  |

|                         |   | Page |
|-------------------------|---|------|
| 173.190                 | Withdrawal or suspension of approval of appointment                                     | 218  |
| <b>Division 173.B.4</b> | <b>Miscellaneous</b>  |      |
| 173.195                 | Advice on organisational changes  | 219  |
| 173.200                 | Discontinuing design work on terminal instrument flight procedures of a particular type | 219  |
| 173.205                 | Notifying the AIS of a variation to a procedure design certificate                      | 220  |
| 173.210                 | Discontinuing maintenance of particular terminal instrument flight procedures           | 220  |
| 173.215                 | Transfer of maintenance responsibility  | 220  |
| <b>Subpart 173.C</b>    | <b>Authorised designers</b>   |      |
| <b>Division 173.C.1</b> | <b>Authorisation as authorised designer</b>   |      |
| 173.220                 | Applications for procedure design authorisations  | 221  |
| 173.225                 | Criteria for grant of procedure design authorisations                                   | 222  |
| 173.240                 | How long procedure design authorisations remain in force                                | 222  |
| 173.245                 | Applications to vary procedure design authorisations                                    | 222  |
| <b>Division 173.C.2</b> | <b>Requirements to be complied with by authorised designers</b>                         |      |
| 173.250                 | Operations manual   | 223  |
| 173.255                 | Compliance with operations manual   | 223  |
| 173.260                 | Standards for design of terminal instrument flight procedures etc                       | 223  |
| 173.265                 | Off-shore installations   | 224  |
| 173.270                 | Maintenance of terminal instrument flight procedures                                    | 224  |
| 173.275                 | Authorised designer to have sufficient personnel  | 225  |
| 173.280                 | Authorised designer to maintain reference materials                                     | 226  |
| 173.285                 | Authorised designer to keep documents and records                                       | 226  |
| 173.290                 | Authorised designer to have document and record control system                          | 226  |
| <b>Division 173.C.3</b> | <b>Miscellaneous</b>  |      |
| 173.295                 | Discontinuing design work on terminal instrument flight of a particular type            | 227  |
| 173.300                 | Discontinuing maintenance of terminal instrument flight procedures                      | 227  |

|                         |   | Page |
|-------------------------|---|------|
| 173.305                 | Transfer of maintenance responsibility  | 227  |
| <b>Subpart 173.D</b>    | <b>Performance of design work</b>   |      |
| 173.310                 | Certified designer not to exceed the limitations of the designer's procedure design certificate         | 228  |
| 173.315                 | Authorised designer not to exceed the limitations of authorisation                                      | 228  |
| <b>Subpart 173.E</b>    | <b>Administration</b>   |      |
| <b>Division 173.E.1</b> | <b>Grant of procedure design certificates and procedure design authorisations</b>                       |      |
| 173.330                 | CASA may require demonstrations of equipment etc  | 229  |
| 173.335                 | Grant of procedure design certificate or procedure design authorisation                                 | 229  |
| 173.345                 | CASA may grant certificate or authorisation subject to conditions                                       | 229  |
| 173.350                 | When decision must be made  | 230  |
| <b>Division 173.E.3</b> | <b>Directions to amend certified designer's or authorised designer's operations manual</b>              |      |
| 173.375                 | CASA may direct amendments to designer's operations manual  | 231  |
| <b>Division 173.E.4</b> | <b>Suspension and cancellation of procedure design certificates and procedure design authorisations</b> |      |
| 173.380                 | Suspension or cancellation of procedure design certificate or procedure design authorisation by CASA    | 231  |
| <b>Division 173.E.5</b> | <b>Authorised inspectors</b>  |      |
| 173.390                 | CASA may appoint authorised inspectors  | 232  |
| 173.395                 | Identity card   | 233  |
| 173.400                 | Powers of authorised inspector  | 233  |
| <b>Part 200</b>         | <b>Aircraft to which CASR do not apply</b>  |      |
| <b>Subpart 200.B</b>    | <b>Exemption from Regulations</b>   |      |
| 200.001                 | Hang gliders  | 235  |
| 200.002                 | Privately built single-place ultralight aeroplanes  | 236  |
| 200.003                 | Gyroplanes having an empty weight not in excess of 250 kilograms  | 237  |
| 200.004                 | Two-place gyroplanes and single-place gyroplanes certificated as light sport aircraft                   | 237  |
| 200.005                 | Parasails and gyrogliders   | 237  |



|                       | Page  |     |
|-----------------------|---|-----|
| 200.008               | Defence Force aircraft operated by civilian flight crew                           | 237 |
| 200.010               | Military aircraft undergoing production or acceptance flight testing              | 238 |
| 200.013               | Weight-shift-controlled aeroplanes and powered parachutes                         | 238 |
| 200.014               | Certain ultralight aeroplanes   | 239 |
| <b>Subpart 200.C</b>  | <b>Authorisation to fly</b>   |     |
| 200.020               | Authorised flight without certificate of airworthiness                            | 239 |
| <b>Part 201</b>       | <b>Miscellaneous</b>  |     |
| 201.001               | Appointment of authorised persons   | 240 |
| 201.003               | Commonwealth and CASA not liable in certain cases                                 | 240 |
| 201.004               | Review of decisions   | 241 |
| 201.005               | Notice of change of name or trading name  | 243 |
| 201.010               | Notice of change of nationality   | 244 |
| 201.016               | Disclosure of personal information  | 244 |
| 201.020               | Service of documents  | 245 |
| <b>Part 202</b>       | <b>Transitional</b>   |     |
| <b>Subpart 202.AB</b> | <b>Transitional provisions for Part 1 (Preliminary)</b>                           |     |
| <b>Subpart 202.AD</b> | <b>Transitional provisions for Part 11 (Regulatory administrative procedures)</b> |     |
| 202.010               | Continuation of certain existing delegations                                      | 252 |
| 202.011               | Continuation of exemptions under regulation 308 of CAR                            | 253 |
| 202.011A              | Continuation of exemptions under subregulation 82 (3) of CAR                      | 253 |
| 202.011B              | Continuation of exemptions under subregulation 235 (11) of CAR                    | 254 |
| 202.011C              | Continuation of exemptions under regulation 92.080                                | 254 |
| 202.011D              | Continuation of exemptions under regulation 92.155                                | 254 |
| 202.011E              | Continuation of exemptions under regulation 101.040                               | 255 |
| 202.011F              | Continuation of exemptions under regulation 139.020                               | 255 |

|                          |  | Page |
|--------------------------|--|------|
| 202.011G                 | Renewal, variation and revocation of exemptions  | 256  |
| 202.012                  | Consultation on certain Manuals of Standards   | 256  |
| 202.013                  | Delegations to persons other than officers   | 256  |
| <b>Subpart 202.AF</b>    | <b>Transitional provisions for Part 13<br/>(Enforcement)</b>   |      |
| <b>Subpart 202.AJ</b>    | <b>Transitional provisions for Part 21<br/>(Certification and airworthiness requirements<br/>for aircraft and parts)</b> |      |
| <b>Division 202.AJ.1</b> | <b>Transitional provisions relating to certification of<br/>aircraft and aircraft components</b>                         |      |
| 202.049A                 | Certain design standards taken to be applicable<br>airworthiness standards for regulation 21.017                         | 257  |
| 202.050                  | Certificates of type approval  | 257  |
| 202.051                  | Certificates of airworthiness  | 258  |
| 202.052                  | Export certificate of airworthiness  | 258  |
| <b>Division 202.AJ.2</b> | <b>Transitional provisions relating to approvals of<br/>designs of modifications and repairs</b>                         |      |
| 202.053                  | Approvals of systems of certification under<br>regulation 34 of CAR  | 259  |
| 202.054                  | Approvals of designs of modifications and repairs<br>under regulation 35 of CAR  | 259  |
| 202.055                  | Approvals of aircraft components for use as<br>replacements under regulation 36 of CAR                                   | 260  |
| 202.056                  | Use of aircraft material for particular purposes<br>under regulation 36A of CAR  | 261  |
| 202.057                  | Approval of damage as permissible<br>unserviceability under regulation 37 of CAR   | 261  |
| 202.058                  | Approval of changes to flight manuals under<br>regulations 55 and 55A of CAR   | 262  |
| <b>Division 202.AJ.3</b> | <b>Transitional provisions relating to authorised<br/>persons</b>  |      |
| 202.059                  | Authorised persons for regulations 35, 36 and 36A<br>of CAR  | 263  |
| <b>Subpart 202.AK</b>    | <b>Transitional provisions for Part 22<br/>(Airworthiness standards for sailplanes and<br/>powered sailplanes)</b>       |      |
| 202.060                  | Approvals under airworthiness instruments in force<br>before 1 July 2009   | 263  |
| <b>Subpart 202.AL</b>    | <b>Transitional provisions for Part 23<br/>(Airworthiness standards for aeroplanes in the</b>                            |      |

|                       |  | Page |
|-----------------------|--|------|
|                       | <b>normal, utility, acrobatic or commuter category)</b>  |      |
| 202.070               | Approvals under airworthiness instruments in force before 1 July 2009  | 264  |
| <b>Subpart 202.AN</b> | <b>Transitional provisions for Part 25 (Airworthiness standards for aeroplanes in the transport category)</b>                      |      |
| 202.090               | Approvals under airworthiness instruments in force before 1 July 2009  | 265  |
| <b>Subpart 202.AO</b> | <b>Transitional provisions for Part 26 (Airworthiness standards for aircraft in the primary category or intermediate category)</b> |      |
| <b>Subpart 202.AP</b> | <b>Transitional provisions for Part 27 (Airworthiness standards for rotorcraft in the normal category)</b>                         |      |
| <b>Subpart 202.AR</b> | <b>Transitional provisions for Part 29 (Airworthiness standards for rotorcraft in the transport category)</b>                      |      |
| <b>Subpart 202.AT</b> | <b>Transitional provisions for Part 31 (Airworthiness standards for manned free balloons)</b>                                      |      |
| <b>Subpart 202.AU</b> | <b>Transitional provisions for Part 32 (Airworthiness standards for engines for very light aeroplanes)</b>                         |      |
| 202.140               | Approvals under airworthiness instruments in force before 1 July 2009  | 267  |
| <b>Subpart 202.AV</b> | <b>Transitional provisions for Part 33 (Airworthiness standards for aircraft engines)</b>  |      |
| <b>Subpart 202.AX</b> | <b>Transitional provisions for Part 35 (Airworthiness standards for aircraft propellers)</b>                                       |      |
| <b>Subpart 202.AZ</b> | <b>Transitional provisions for Part 39 (Airworthiness directives)</b>  |      |
| 202.170               | Airworthiness directives   | 268  |
| 202.171               | Application for exemption from, or variation of, requirement of airworthiness directive  | 268  |

|   | Page |
|---|------|
| 202.172 Exemption from requirement of airworthiness directive   | 268  |
| <b>Subpart 202.BA Transitional provisions for Part 42 (Continuing airworthiness requirements for aircraft and aeronautical products)</b>  |      |
| 202.180 Application of Part 42 from 27 June 2011 until the end of 26 June 2013  | 269  |
| 202.181 Application of Part 42 on and after 27 June 2013  | 270  |
| 202.182 Certificates of release to service taken to include maintenance releases (paragraph 42.030 (2) (b))                               | 270  |
| 202.183 Application of subparagraph 42.030 (2) (c) (ii) (airworthiness review certificates) to existing and new aircraft                  | 270  |
| 202.184 References to persons permitted to carry out maintenance (regulations 42.080 and 42.430)  | 271  |
| 202.185 Approved maintenance programs taken to include approved systems of maintenance  | 272  |
| 202.186 Approved reliability programs taken to include reliability programs included in approved systems of maintenance                   | 273  |
| 202.187 References to deferral of rectification of defects and recording of defects   | 273  |
| 202.188 References to authorised release certificates (subparagraphs 42.420 (5) (a) (i) and (b) (i))                                      | 273  |
| 202.189 In-house release documents taken to include equivalent documents (subparagraph 42.420 (5) (b) (ii))                               | 274  |
| 202.190 References to fabrication of parts (regulation 42.435)  | 274  |
| 202.191 Maintenance certification taken to include certification of completion of maintenance (paragraph 42.745 (c))                      | 275  |
| 202.192 Maintenance certification and certificates of release to service taken to include maintenance releases (paragraph 42.900 (2) (i)) | 275  |
| 202.193 Reference to maintenance carried out in accordance with Part 42 (subparagraph 42.795 (c) (i))                                     | 276  |
| 202.194 CASA may direct making of applications under regulation 42.585  | 276  |

|   |  | Page |
|---|--|------|
| <b>Subpart 202.BD</b>                         | <b>Transitional provisions for Part 45 (Display of nationality and registration marks)</b>                     |      |
| 202.200                                       | Australian aircraft marked in accordance with CAR  | 277  |
| <b>Subpart 202.BF</b>                         | <b>Transitional provisions for Part 47 (Registration of aircraft and related matters)</b>                      |      |
| 202.220                                       | Definitions for Subpart 202.BF   | 277  |
| 202.221                                       | Continuation of Aircraft Register  | 278  |
| 202.222                                       | Reference to <i>holder of a certificate of registration</i>  | 278  |
| 202.223                                       | Registration under CAR to continue   | 278  |
| 202.224                                       | Pending applications or notices  | 279  |
| 202.225                                       | Application to register aircraft under Part 47   | 279  |
| <b>Subpart 202.CA</b>                         | <b>Transitional provisions for Part 60 (Synthetic training devices)</b>  |      |
| 202.240                                       | Definitions for this Subpart   | 280  |
| 202.241                                       | Transitional accreditation — flight simulators   | 281  |
| <b>Subpart 202.CB</b>                         | <b>Transitional provisions for Part 61 (Pilot licensing)</b>   |      |
| <b>Subpart 202.CD</b>                         | <b>Transitional provisions for Part 63 (Flight crew licensing other than pilots)</b>                           |      |
| <b>Subpart 202.CE</b>                         | <b>Transitional provisions for Part 64 (Ground authorisations)</b>   |      |
| <b>Subpart 202.CF</b>                         | <b>Transitional provisions for Part 65 (Air traffic services licensing)</b>                                    |      |
| 202.320                                       | Manual of Standards for Part 65  | 282  |
| 202.321                                       | Persons holding certain licences   | 282  |
| <b>Subpart 202.CG</b>                         | <b>Transitional provisions for Part 66 (Continuing airworthiness — aircraft engineer licences and ratings)</b> |      |
| 202.340                                       | Definitions for Subpart  | 283  |
| 202.341                                       | Aircraft maintenance engineer licences and CAO 100.66 maintenance authorities held on 26 June 2011             | 284  |
| 202.342                                       | Aircraft maintenance engineer licences that were suspended on 26 June 2011                                     | 284  |
| 202.343                                       | Applications for aircraft maintenance engineer licences made but not finally determined before 27 June 2011    | 285  |
| <hr/>   |  |      |
| <i>Civil Aviation Safety Regulations 1998</i> |  | 21   |

---

|   | Page |
|---|------|
| 202.344 Applications for aircraft maintenance engineer licences made on or after 27 June 2011                   | 286  |
| 202.345 Applications for CAO 100.66 maintenance authorities made but not finally determined before 27 June 2011 | 287  |
| 202.346 Having regard to other airworthiness authorities in granting aircraft engineer licences                 | 288  |
| 202.347 Medically significant conditions  | 288  |
| <b>Subpart 202.CH Transitional provisions for Part 67 (Medical)</b>   |      |
| 202.360 Medical certificates issued under <i>Civil Aviation Regulations 1988</i>                                | 289  |
| 202.361 Designated aviation medical examiners appointed under <i>Civil Aviation Regulations 1988</i>            | 289  |
| 202.362 Actions by Director of Aviation Medicine  | 289  |
| 202.363 Applications for issue of medical certificates pending on 3 September 2003                              | 290  |
| <b>Subpart 202.DA Transitional provisions for Part 71 (Airspace)</b>  |      |
| <b>Subpart 202.EA Transitional provisions for Part 90 (Additional airworthiness requirements)</b>               |      |
| <b>Subpart 202.EB Transitional provisions for Part 91 (General operating and flight rules)</b>                  |      |
| <b>Subpart 202.EC Transitional provisions for Part 92 (Consignment and carriage of dangerous goods by air)</b>  |      |
| 202.440 Approval of certain training courses and instructors  | 291  |
| <b>Subpart 202.FA Transitional provisions for Part 101 (Unmanned aircraft and rockets)</b>                      |      |
| 202.460 Authorisations, permissions and approvals in force immediately before 1 July 2002                       | 293  |

|                       | Page  |     |
|-----------------------|---|-----|
| <b>Subpart 202.FC</b> | <b>Transitional provisions for Part 103 (Sport and recreational aviation operations)</b>  |     |
| <b>Subpart 202.FE</b> | <b>Transitional provisions for Part 105 (Sport and recreational parachuting from aircraft)</b>                                      |     |
| <b>Subpart 202.FJ</b> | <b>Transitional provisions for Part 115 (Operations using sport aviation aircraft for non-recreational activities)</b>              |     |
| <b>Subpart 202.FL</b> | <b>Transitional provisions for Part 119 (Air operator certification — air transport)</b>  |     |
| <b>Subpart 202.FN</b> | <b>Transitional provisions for Part 121A (Air transport operations — large aeroplanes)</b>  |     |
| <b>Subpart 202.FO</b> | <b>Transitional provisions for Part 121B (Air transport operations — small aeroplanes)</b>  |     |
| <b>Subpart 202.FR</b> | <b>Transitional provisions for Part 129 (Air operator certification — foreign operators)</b>  |     |
| <b>Subpart 202.FT</b> | <b>Transitional provisions for Part 133 (Air transport and aerial work operations — rotorcraft)</b>                                 |     |
| <b>Subpart 202.FV</b> | <b>Transitional provisions for Part 136 (Aerial work operations — other than those covered by Parts 133, 137, 138, 141 and 142)</b> |     |
| <b>Subpart 202.FW</b> | <b>Transitional provisions for Part 137 (Aerial agriculture operations — other than rotorcraft)</b>                                 |     |
| <b>Subpart 202.FX</b> | <b>Transitional provisions for Part 138 (Search and rescue operations)</b>  |     |
| <b>Subpart 202.FY</b> | <b>Transitional provisions for Part 139 (Aerodromes)</b>  |     |
| 202.700               | Definitions for this Subpart  | 297 |
| 202.701               | Aerodrome licences issued under CAR   | 297 |
| 202.702               | Conditions of transitional aerodrome licences   | 297 |
| 202.703               | Duration of transitional aerodrome licences   | 297 |
| 202.704               | Previous aerodrome manuals and standards for aerodromes   | 298 |
| 202.705               | Exemptions  | 299 |

|                        |  | Page |
|------------------------|--|------|
| <b>Subpart 202.FYH</b> | <b>Transitional provisions for Subpart 139.H (Aerodrome rescue and fire fighting services)</b>                             |      |
| 202.710                | Manual of Standards for Subpart 139.H  | 299  |
| <b>Subpart 202.GA</b>  | <b>Transitional provisions for Part 141 (Flight training organisations)</b>  |      |
| <b>Subpart 202.GB</b>  | <b>Transitional provisions for Part 142 (Training and checking organisations)</b>  |      |
| <b>Subpart 202.GC</b>  | <b>Transitional provisions for Part 143 (Air traffic services training providers)</b>                                      |      |
| 202.760                | Manual of Standards for Part 143   | 300  |
| <b>Subpart 202.GD</b>  | <b>Transitional provisions for Part 144 (Product distribution organisations)</b>   |      |
| <b>Subpart 202.GE</b>  | <b>Transitional provisions for Part 145 (Continuing airworthiness — Part 145 approved maintenance organisations)</b>       |      |
| 202.800                | CASA may direct making of applications under regulation 145.025  | 301  |
| <b>Subpart 202.GG</b>  | <b>Transitional provisions for Part 147 (Continuing airworthiness — maintenance training organisations)</b>                |      |
| 202.840                | Recognised organisations taken to be maintenance training organisations  | 301  |
| 202.841                | Applications for approval as a recognised organisation made but not finally determined before 27 June 2011                 | 302  |
| 202.842                | CASA may direct the making of applications under regulation 147.025  | 302  |
| <b>Subpart 202.GI</b>  | <b>Transitional provisions for Part 149 (Recreational aviation administration organisations)</b>                           |      |
| <b>Subpart 202.HA</b>  | <b>Transitional provisions for Part 171 (Aeronautical telecommunication service and radionavigation service providers)</b> |      |
| 202.880                | Manual of Standards for Part 171   | 303  |



|   |   | Page |
|---|---|------|
| <b>Subpart 202.HB</b>                         | <b>Transitional provisions for Part 172 (Air traffic service providers)</b>                         |      |
| 202.900                                       | Manual of Standards for Part 172  | 303  |
| <b>Subpart 202.HC</b>                         | <b>Transitional provisions for Part 173 (Instrument flight procedure design)</b>                    |      |
| <b>Subpart 202.HD</b>                         | <b>Transitional provisions for Part 174 (Aviation meteorological services)</b>                      |      |
| <b>Subpart 202.HL</b>                         | <b>Transitional provisions for Part 200 (Exemptions)</b>  |      |
| <b>Subpart 202.HM</b>                         | <b>Transitional provisions for Part 201 (Miscellaneous)</b>   |      |
| <br><b>Dictionary</b>                         |   |      |
| Part 1  | Definitions   | 305  |
| Part 2  | Interpretation of certain expressions not defined in Part 1   | 322  |
|   | 1 Parts and materials excluded from the definition of <i>aeronautical product</i>                   | 322  |
|   | 5 When an aircraft is <i>airworthy</i>  | 323  |
|   | 15 Reference to Annexes to Chicago Convention   | 323  |
|   | 18 Meaning of <i>authorised release certificate</i>   | 323  |
|   | 25 Extended meaning of <i>charged with</i> in relation to certain offences                          | 324  |
|   | 30 Classes of aircraft  | 324  |
|   | 35 Extended meaning of <i>convicted</i>   | 325  |
|   | 37 References to <i>flight manual</i>   | 325  |
|   | 40 References to operating an aircraft in an area   | 326  |
|   | 45 References to EASA certification specifications  | 326  |
|   | 50 References to pilot-in-command   | 327  |
|   | 55 References to populous areas etc   | 327  |
|   | 60 Meaning of <i>psychoactive substance</i>   | 327  |
|   | 65 Recognised foreign training providers  | 327  |
| Part 3  | Definitions for this Part, Parts 42, 66, 145 and 147 and Subparts 202.BA, 202.CG, 202.GE and 202.GG | 328  |
|   | 1 General   | 328  |
|   | 5 Definitions relating to carrying out maintenance  | 333  |
| <hr/>   |   |      |
| <i>Civil Aviation Safety Regulations 1998</i> |   | 25   |

---

|              | Page  |
|--------------|---|
| 10           | Meaning of <i>instructions for continuing airworthiness</i> 335 |
| 15           | Meaning of <i>maintenance data</i> 336                          |
| 20           | Meaning of <i>maintenance services subcontractor</i> 337        |
| 25           | Meaning of <i>provides</i> 337                                  |
| 30           | Meaning of <i>supervising</i> 337                               |
| <b>Notes</b> | 338   |

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## Part 139 Aerodromes

**Note** This Part is made up as follows:

### Subpart 139.A General

- 139.005 Applicability of this Part
- 139.010 Definitions for this Part
- 139.015 Standards for aerodromes
- 139.025 Access to aerodromes
- 139.030 Restrictions on use of terminal instrument flight procedures
- 139.035 No effect on operation of *Airports (Building Control) Regulations 1996* etc

### Subpart 139.B Certified aerodromes

#### Division 139.B.1 Aerodrome certificate

- 139.040 When an aerodrome certificate is required
- 139.045 Application for aerodrome certificate
- 139.050 Grant of aerodrome certificate
- 139.070 Suspension or cancellation by CASA
- 139.080 Aerodrome certificate not transferable
- 139.085 Temporary aerodrome certificate

#### Division 139.B.2 Aerodrome manual

- 139.090 Preparation and location of aerodrome manual
- 139.095 Information to be included in aerodrome manual
- 139.100 Form of aerodrome manual
- 139.105 Amendments of aerodrome manual
- 139.110 Notice of amendments
- 139.115 Aerodrome manual controller

#### Division 139.B.3 Operation and maintenance of a certified aerodrome

- 139.120 Care and diligence in operation and maintenance
- 139.125 Reporting officer
- 139.130 Works safety officer for aerodrome works other than time-limited works
- 139.135 Works safety officer for time-limited works
- 139.140 Training of aerodrome personnel
- 139.145 Aerodrome manual procedures
- 139.150 Notice of deviation

- 
- 139.155 Notice of changes in physical condition etc of aerodrome
  - 139.160 Notice of changes in information published in AIP-ERSA
  - 139.165 Physical characteristics of movement area
  - 139.170 Aerodrome markings
  - 139.175 Signal area
  - 139.180 Wind direction indicators — general
  - 139.185 Wind direction indicators — requirement for certain runways
  - 139.190 Visual approach slope indicator system
  - 139.195 Lighting of movement area
  - 139.200 Checking of lighting systems
  - 139.205 Aerodrome emergency committee
  - 139.210 Aerodrome emergency plan
  - 139.215 Testing of aerodrome emergency plan
  - 139.220 Aerodrome serviceability inspections
  - 139.225 When aerodrome serviceability inspections must be conducted
  - 139.230 Aerodrome technical inspections
  - 139.235 When aerodrome technical inspections must be conducted etc
  - 139.240 Who may conduct aerodrome technical inspections
  - 139.245 Planning and execution of aerodrome works
  - 139.250 Safety management system

**Division 139.B.4 Aerodromes to which A-SMGCS applies**

- 139.251 Definition for Division 139.B.4
- 139.252 Designation of aerodromes to which A-SMGCS applies
- 139-254 Vehicles at aerodromes to which A-SMGCS applies

**Subpart 139.C Registered aerodromes**

- 139.255 Definition for this Subpart
- 139.260 Application for registration of aerodrome
- 139.265 Registration of aerodromes
- 139.270 Notice of refusal to register aerodrome
- 139.275 Register
- 139.280 Duration of registration
- 139.285 Cancellation of registration on request
- 139.290 Suspension or cancellation of registration by CASA
- 139.295 Applicable standards for registered aerodromes
- 139.300 Reporting officer

- 
- 139.305 Notice of changes in physical condition etc of aerodrome
- 139.310 Notice of changes in information published in AIP-ERSA
- 139.315 Safety inspections
- 139.320 Approval of persons to conduct aerodrome safety inspections
- 139.325 Duration of approval
- 139.330 Suspension or cancellation of approval by CASA
- Subpart 139.D Reporting officer and safety inspection requirements for certain other aerodromes**
- 139.335 Aerodromes to which this Subpart applies
- 139.340 Reporting officer
- 139.345 Safety inspections
- Subpart 139.E Obstacles and hazards**
- 139.350 Monitoring of airspace
- 139.355 Establishment of obstacle limitation surfaces
- 139.360 Notice of obstacles
- 139.365 Structures 110 metres or more above ground level
- 139.370 Hazardous objects etc
- Subpart 139.F Aerodrome radio communication services**
- Division 139.F.1 General**
- 139.375 Aerodrome operators to collect statistics if directed
- Division 139.F.2 Frequency confirmation system**
- 139.380 Definitions for Division 139.F.2
- 139.385 Aerodromes that must have a frequency confirmation system
- Division 139.F.3 Air/ground radio service**
- 139.390 Definitions for Division 139.F.3
- 139.395 Air/ground radio service must be certified
- 139.400 Direction by CASA to provide CA/GRS
- 139.405 Voluntary provision of CA/GRS
- 139.410 Certification of air/ground radio service
- 139.415 General obligations of aerodrome operator
- 139.420 When CA/GRS must be operating
- 139.425 Information about operating hours to be given to NOTAM Office
- 139.430 Certified air/ground radio operators
- 139.435 Offences

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**Subpart 139.H Aerodrome rescue and firefighting services****Division 139.H.1 General**

- 139.700 Applicability of this Subpart
- 139.705 Definitions for this Subpart
- 139.710 Functions of ARFFS
- 139.711 Person not to provide service without approval
- 139.712 Issue of Manual of Standards
- 139.715 Effect of Manual of Standards

**Division 139.H.3 Requirements to be complied with by ARFFS provider**

- 139.750 Requirements in this Division
- 139.755 Definition for Division — *applicable standards and requirements*
- 139.760 Inconsistency between Manual and chapter 9 of Annex 14
- 139.765 Knowledge, equipment and expertise to deal with aviation hazards
- 139.770 General obligation to maintain service
- 139.771 Response time of ARFFS
- 139.772 Buildings and emergency facilities
- 139.773 Officer in charge
- 139.775 Notice about times service is available etc
- 139.780 Agreements with other fire fighting bodies
- 139.785 Stock of fire extinguishing agents
- 139.795 Extinguishing equipment and vehicles
- 139.800 Other vehicles and equipment
- 139.805 Vehicles and equipment for firefighting and rescue in difficult environments
- 139.810 Commissioning of certain equipment
- 139.815 Protective clothing and equipment
- 139.820 Communications
- 139.825 Test and maintenance equipment
- 139.830 Commissioning of new vehicles and equipment
- 139.835 Number of operating personnel
- 139.840 Medical standard of firefighters
- 139.845 Qualifications and training of firefighters
- 139.850 Operations manual
- 139.855 Amendment of operations manual
- 139.860 Voice data recording
- 139.865 Record of accidents or incidents

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- 139.870 Contingency plan
  - 139.875 Records management
  - 139.880 Organisation
  - 139.885 System for rectification of service failures
  - 139.890 Quality control
  - 139.895 Change management
  - 139.900 Safety management
  - 139.905 Applicant's organisation
  - 139.910 Telling users and CASA about changes

**Division 139.H.4 Conduct of ARFFS operations**

- 139.915 Powers of officer in charge or firefighter

**Division 139.H.5 Administration**

- 139.920 Definition for Division
- 139.925 How to apply for approval as ARFFS provider
- 139.970 When decision must be made
- 139.995 Application for variation of approval
- 139.1005 Suspension or continued suspension of approval by show cause notice
- 139.1010 Grounds for cancellation of approval
- 139.1015 Notice to approved ARFFS provider to show cause
- 139.1020 Cancellation of approval after show cause notice
- 139.1022 Cancellation if holder ceases to provide ARFFS
- 139.1025 Cancellation at request of approved ARFFS provider

**Regulation 139.005**

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## **Subpart 139.A    General**

### **139.005 Applicability of this Part**

This Part deals with the operation of aerodromes and includes rules about the following matters:

- (a) certification of aerodromes and the requirements that apply to operators of certified aerodromes;
- (b) registration of aerodromes and the requirements that apply to operators of registered aerodromes;
- (c) reporting officer and safety inspection requirements that apply to operators of certain other aerodromes used for regular public transport operations or charter operations;
- (d) obstacles and hazards at aerodromes;
- (e) obligations of aerodrome operators in relation to radio communication services and rescue and fire fighting services.

### **139.010 Definitions for this Part**

In this Part (other than Subpart 139.H):

*Manual of Standards* means the document called ‘Manual of Standards (MOS) – Part 139 Aerodromes’ published by CASA, as in force from time to time.

*MBZ* means mandatory broadcast zone.

*time-limited works* has the same meaning as in the Manual of Standards.

### **139.015 Standards for aerodromes**

The standards for aerodromes are those set out in the Manual of Standards.

### **139.025 Access to aerodromes**

- (1) The operator of a certified aerodrome or a registered aerodrome must allow CASA to conduct tests of aerodrome



facilities, equipment or operating procedures at the aerodrome for the purpose of ensuring the safety of aircraft.

- (2) The operator must allow CASA access to any part of the aerodrome or any aerodrome facilities, equipment or records for the purposes of subregulation (1).
- (3) CASA:
  - (a) must give reasonable notice of any tests to be conducted to the operator; and
  - (b) must carry out the tests at a reasonable time.
- (4) Subregulations (1) and (2) do not limit the operation of regulation 305 of CAR.

### **139.030 Restrictions on use of terminal instrument flight procedures**

- (1) The operator of an aerodrome commits an offence if:
  - (a) the aerodrome is not a certified aerodrome or registered aerodrome; and
  - (b) there is a terminal instrument flight procedure for the aerodrome; and
  - (c) the terminal instrument flight procedure is not only for use in a specialised helicopter operation.

Penalty: 10 penalty units.

- (2) The operator of an aerodrome commits an offence if:
  - (a) there is a terminal instrument flight procedure for the aerodrome; and
  - (b) the terminal instrument flight procedure is not only for use in a specialised helicopter operation; and
  - (c) the aerodrome:
    - (i) ceases to be a certified aerodrome and does not become a registered aerodrome; or
    - (ii) ceases to be a registered aerodrome and does not become a certified aerodrome; and

**Regulation 139.035**

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(d) the operator does not, in writing and as soon as possible after the cessation, tell each of the following of the cessation:

- (i) the AIS;
- (ii) the certified designer of the procedure.

Penalty: 10 penalty units.

(3) An offence against subregulation (1) or (2) is an offence of strict liability.

(4) In this regulation:

*certified designer* has the meaning given by regulation 173.015.

**139.035 No effect on operation of Airports (Building Control) Regulations 1996 etc**

Nothing in this Part affects the operation of the *Airports (Building Control) Regulations 1996*, the *Airports (Protection of Airspace) Regulations 1996* or the *Airports (Control of On-Airport Activities) Regulations 1997*.

**Subpart 139.B Certified aerodromes**

**Division 139.B.1 Aerodrome certificate**

**139.040 When an aerodrome certificate is required**

(1) A person must not operate an aerodrome to which subregulation (3) applies if the aerodrome is not a certified aerodrome.

Penalty: 50 penalty units.

(2) An offence against subregulation (1) is an offence of strict liability.

(3) This subregulation applies to an aerodrome that:

- (a) has a runway that is suitable for use by aircraft having:

**Regulation 139.070**

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- (i) a maximum passenger seating capacity of more than 30 seats; or
  - (ii) a maximum carrying capacity of more than 3 400 kilograms; and
- (b) is available for use in regular public transport operations or charter operations by such aircraft.

*Note* See also regulation 139.030 for restrictions on the use of terminal instrument flight procedures.

**139.045 Application for aerodrome certificate**

A person (the *applicant*) may apply to CASA for an aerodrome certificate authorising the person to operate an aerodrome at the place specified in the application.

**139.050 Grant of aerodrome certificate**

Subject to regulation 11.055, CASA must grant an aerodrome certificate to an applicant if CASA is satisfied that:

- (a) the aerodrome's facilities and equipment are in accordance with the standards specified in the Manual of Standards for a certified aerodrome; and
- (b) the aerodrome's operating procedures make satisfactory provision for the safety of aircraft; and
- (c) an aerodrome manual, in accordance with regulation 139.095, has been prepared for the aerodrome; and
- (d) the applicant would, if the certificate is granted, be able properly to operate and maintain the aerodrome.

**139.070 Suspension or cancellation by CASA**

- (1) CASA may, by written notice given to the holder of an aerodrome certificate, suspend or cancel the certificate if there are reasonable grounds for believing that:
  - (a) a condition to which the certificate is subject has been breached; or
  - (b) the aerodrome facilities, operations or maintenance are not of the standard necessary in the interests of the safety of air navigation; or

**Regulation 139.080 Aerodrome certificate not transferable**

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- (c) the holder has failed to comply with regulation 139.025.
- (2) Before suspending or cancelling an aerodrome certificate, CASA must:
  - (a) give to the holder a show cause notice that:
    - (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and
    - (ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or cancelled; and
  - (b) take into account any written submissions that the holder makes to CASA within the time allowed under subparagraph (a) (ii).

**139.080 Aerodrome certificate not transferable**

An aerodrome certificate is not transferable.

**139.085 Temporary aerodrome certificate**

- (1) Subject to regulation 11.055, CASA must grant a temporary aerodrome certificate to an applicant under regulation 139.045 if:
  - (a) the applicant's application is for a certificate to operate an aerodrome for which an existing aerodrome certificate is in force; and
  - (b) the holder of the existing aerodrome certificate has given CASA a request under regulation 11.130 for the certificate to be cancelled; and
  - (c) the cancellation of the existing aerodrome certificate will have effect before CASA can fully consider the applicant's application; and
  - (d) CASA is satisfied that the applicant will be able to properly operate and maintain the aerodrome for the duration of the temporary certificate.
- (2) A temporary aerodrome certificate must not be granted for a period of longer than 60 days.

## **Division 139.B.2 Aerodrome manual**

### **139.090 Preparation and location of aerodrome manual**

- (1) The operator of a certified aerodrome must have an aerodrome manual, in accordance with regulation 139.095, for the aerodrome.

Penalty: 10 penalty units.

- (2) The operator must give CASA a copy of the manual and must keep another copy at the operator's principal place of business or at the aerodrome.

Penalty: 10 penalty units.

- (3) The operator must make the copy of the manual kept at the operator's principal place of business or at the aerodrome available to authorised persons during normal business hours.

Penalty: 10 penalty units.

- (4) Strict liability applies to the physical element of an offence against subregulation (1) that the operator is required to have an aerodrome manual for the aerodrome.

- (5) An offence against subregulation (2) or (3) is an offence of strict liability.

### **139.095 Information to be included in aerodrome manual**

For subregulation 139.090 (1), the aerodrome manual must include:

- (a) the following information, to the extent that the information is applicable to the aerodrome:
  - (i) the particulars of the aerodrome site mentioned in Appendix 1 to this subparagraph;
  - (ii) the particulars of the aerodrome administration and operating procedures mentioned in Appendix 1 to this subparagraph;
  - (iii) the particulars of the aerodrome to be notified in AIP-ERSA, mentioned in Appendix 1 to this subparagraph;

**Regulation 139.095**

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- (iv) particulars of any condition to which the operator's aerodrome certificate is subject;
- (v) particulars of any direction given to the operator by CASA under regulation 139.105; and
- (b) if particular information referred to in paragraph (a) is not included in the manual because it is not applicable to the aerodrome:
  - (i) a statement to the effect that the information is not applicable; and
  - (ii) the reasons why it is not applicable; and
- (c) if CASA grants the operator an exemption under regulation 11.160 in relation to the aerodrome:
  - (i) any identifying number given to the exemption by CASA; and
  - (ii) the date on which the exemption came into effect; and
  - (iii) any condition subject to which the exemption is granted.

***Appendix 1 to subparagraph 139.095 (a) (i)***  
***(Particulars of the aerodrome site)***

*Aerodrome site*

For subparagraph 139.095 (a) (i), the particulars are as follows:

- (a) a plan of the aerodrome showing the main aerodrome facilities, including the wind direction indicators, for the operation of the aerodrome;
- (b) a plan of the aerodrome showing the aerodrome boundaries;
- (c) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;
- (d) either:
  - (i) particulars of title of the aerodrome site; or

- (ii) if the boundaries of the aerodrome are not defined in the documents of title — the particulars of the title to, or interests in, the property on which the aerodrome is located and a plan showing the boundaries and position of the aerodrome.

***Appendix 1 to subparagraph 139.095 (a) (ii)***  
***(Particulars of the aerodrome administration and operating procedures)***

For subparagraph 139.095 (a) (ii), the particulars are as follows:

***Aerodrome administration***

- (a) particulars of the aerodrome administration including the following:
  - (i) the organisational structure;
  - (ii) the management positions responsible for the operation and maintenance of the aerodrome;
  - (iii) contact details of the person who is the aerodrome manual controller;
  - (iv) contact details for the main persons responsible for aerodrome operations and safety functions;

***Aerodrome emergency plan***

- (b) particulars of the aerodrome emergency plan, including details of the following:
  - (i) the composition of the aerodrome emergency committee and contact details for the emergency service organisations represented on the committee;
  - (ii) a description of the role of each emergency service organisation involved in the plan;
  - (iii) the activation, control and coordination of the emergency service organisations during an emergency;
  - (iv) the aerodrome's emergency facilities and arrangements for keeping them in readiness;

**Regulation 139.095**

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- (v) the operational response to an emergency, including arrangements for aerodrome access and assembly areas;
- (vi) the response to a local stand-by call out;
- (vii) the response to a full emergency call out;
- (viii) the arrangements to return the aerodrome to operational status after an emergency;
- (ix) the arrangements for periodic review and testing of the aerodrome emergency plan;

*Aerodrome lighting*

- (c) particulars of the procedures for the inspection and maintenance of the aerodrome lighting (including obstacle lighting) and the supply of stand-by power (if any), including details of the following:
  - (i) the arrangements for carrying out inspections and the checklist for inspections;
  - (ii) the arrangements for recording the results of inspections and for taking follow-up action to correct deficiencies;
  - (iii) the arrangements for switching lights on and off, including back-up arrangements for pilot-activated lighting;
  - (iv) the arrangements for carrying out routine maintenance and emergency maintenance;
  - (v) the arrangements for stand-by power, if any, and, if applicable, particulars of any other method of dealing with partial or total system failure;
  - (vi) the names and roles of the persons who are responsible for the inspection and maintenance of the lighting and the telephone numbers for contacting them during and after working hours;

*Aerodrome reporting*

- (d) particulars of the procedures for reporting any changes to the aerodrome information set out in AIP and procedures for requesting the issue of NOTAMS, including details of the following:



**Regulation 139.095**

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- (i) the arrangements for reporting any changes that may affect aircraft operations to AIS and local air traffic services and recording the reporting of changes during and outside the normal hours of aerodrome operation;
- (ii) the contact details for the persons and organisations to which changes are to be reported;
- (iii) the name of the reporting officer responsible for reporting the changes and the telephone numbers for contacting him or her during and after working hours;
- (iv) the arrangements for reporting changes of aerodrome information published in AIP to AIS and CASA;
- (v) the arrangements for keeping records of reports made;

*Unauthorised entry to aerodrome*

- (e) particulars of the procedures for preventing the unauthorised entry of persons, vehicles, equipment, plant or animals, or other things that may endanger aircraft safety, into the movement area, including details of the following:
  - (i) the arrangements for controlling airside access;
  - (ii) the names and roles of the persons who are responsible for controlling access to the movement area and the telephone numbers for contacting them during and after working hours;

*Aerodrome serviceability inspections*

- (f) particulars of the procedures for carrying out aerodrome serviceability inspections, including details of the following:
  - (i) the arrangements for carrying out the inspections during and after working hours;
  - (ii) details of the intervals at which the inspections are carried out and the times of the inspections;

**Regulation 139.095**

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- (iii) the arrangements for keeping an inspection logbook and the place where the logbook is kept;
- (iv) details of the inspection checklist;
- (v) the arrangements for communicating with air traffic control during the inspections;
- (vi) the arrangements for reporting the results of the inspections and for taking prompt follow-up action to ensure correction of unsafe conditions;
- (vii) the names and roles of the persons who are responsible for carrying out the inspections and the telephone numbers for contacting them during and after working hours;

*Aerodrome technical inspections*

- (g) particulars of the procedures for carrying out aerodrome technical inspections, including details of the following:
  - (i) the items that need to be technically inspected and when the inspections are to be carried out;
  - (ii) the arrangements for technically qualified people to carry out the technical inspections;
  - (iii) the arrangements for recording the results of the inspections and for taking prompt follow-up action to ensure correction of defects;

*Aerodrome works safety*

- (h) particulars of the procedures for planning and safely carrying out aerodrome works (including works that may have to be carried out at short notice), including details of the following:
  - (i) the preparation of a method-of-working plan identifying areas of the aerodrome affected during each stage of the work and steps taken to ensure safety standards are met;
  - (ii) the distribution list for the method-of-working plan;
  - (iii) the arrangements for telling aircraft operators and other aerodrome users of the method-of-working plan and the telephone numbers for contacting those operators and users during and after working hours;

**Regulation 139.095**

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- (iv) the arrangements for communicating with air traffic control and aircraft during the carrying out of the works;
- (v) the arrangements for carrying out time-limited works;
- (vi) the names, telephone numbers and roles of the persons and organisations responsible for planning and carrying out the works, and the arrangements for contacting those persons and organisations at all times;

*Aircraft parking control*

- (i) particulars of the procedures for aircraft parking control, if established, including details of the following:
  - (i) the arrangements between air traffic control and apron management;
  - (ii) the arrangements for allocating aircraft parking positions;
  - (iii) the arrangements for initiating engine start and ensuring clearances for aircraft push-back;
  - (iv) an inventory and description of the activation and deactivation of any visual docking guidance system used at the aerodrome;
  - (v) the marshalling service;
  - (vi) the leader (van) service or follow-me service;
  - (vii) the names, telephone numbers and roles of the persons responsible for planning and implementing aircraft parking control;

*Airside vehicle control*

- (j) if procedures have been established at the aerodrome for the control of surface vehicles operating on or near the movement area, particulars of those procedures, including details of the following:
  - (i) the applicable traffic rules (including speed limits) and the means of enforcement of the rules;

**Regulation 139.095**

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- (ii) the method of instructing and testing drivers in relation to the applicable traffic rules;
- (iii) the names, telephone numbers and roles of the persons who are responsible for airside vehicle control;

*Bird and animal hazard management*

- (k) particulars of the procedures to deal with danger to aircraft operations caused by the presence of birds or animals on or near the aerodrome, including details of the following:
  - (i) the arrangements for assessing any bird or animal hazard;
  - (ii) the arrangements for the removal of any bird or animal hazard;
  - (iii) the names and roles of the persons responsible for dealing with bird or animal hazards, and the telephone numbers for contacting them during and after working hours;

*Obstacle control*

- (l) particulars of the following:
  - (i) the procedures for monitoring the obstacle limitation surfaces and the Type A chart take-off surface for obstacles;
  - (ii) the procedures for monitoring building developments (in relation to the height of buildings and other structures) within the horizontal limits of the obstacle limitation surfaces;
  - (iii) if the aerodrome has instrument approach procedures — the procedures for monitoring for new objects or building developments in any other areas nominated by the instrument procedure designers;
  - (iv) the arrangements between CASA, local planning authorities and other relevant organisations in relation to the approval of building developments that may infringe the obstacle limitation surfaces;

- (v) the names, telephone numbers and roles of the persons responsible for planning and implementing obstacle control;

*Disabled aircraft removal*

- (m) particulars of the procedures for removing an aircraft that is disabled on or near the movement area, including details of the following:
  - (i) the roles of the aerodrome operator and the holder of the aircraft's certificate of registration;
  - (ii) the arrangements for telling the holder of the certificate of registration;
  - (iii) the arrangements for liaising with air traffic control and the Australian Transport Safety Bureau;
  - (iv) the arrangements for obtaining equipment and persons to remove the aircraft;
  - (v) the names and roles of the persons who are responsible for arranging for the removal of an aircraft which is disabled, and the telephone numbers for contacting them during and after working hours;

*Handling of hazardous materials*

- (n) particulars of the procedures for the safe handling of hazardous materials on the aerodrome, including details of the following:
  - (i) the names, telephone numbers and roles of the persons who are to receive and handle hazardous materials;
  - (ii) the arrangements for special areas on the aerodrome to be set up for the storage of flammable liquids (including aviation fuels) and any other hazardous materials;
  - (iii) the methods to be followed for the delivery, storage, dispensing and handling of these materials;

*Note 1* Hazardous materials include explosives, flammable liquids and solids, corrosive liquids, compressed gases, and magnetised or radioactive materials.

**Regulation 139.095**

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*Note 2* The arrangements to deal with an accidental spillage of hazardous materials are to be set out in the aerodrome emergency plan.

*Protection of radar and navigational aids*

- (o) particulars of the procedures for the protection of radar and navigational aids located on the aerodrome to ensure that their performance will not be degraded, including details of the following:
  - (i) the arrangements for the control of activities near radar and navigational aid installations;
  - (ii) the arrangements, made in consultation with the provider of the navigational aid installation, for the supply and installation of signs warning of hazardous microwave radiation;
  - (iii) the arrangements for ground maintenance near these installations;

*Low visibility operations*

- (p) particulars of the procedures for the management of ground activities at an aerodrome where low visibility operations are conducted, including details of the following:
  - (i) the arrangements for measuring visibility along a runway and passing the information to air traffic control, if required;
  - (ii) the arrangements for minimising vehicular traffic within the movement area during periods of low visibility operations;
  - (iii) the arrangements for runway inspections during periods of low visibility operations;
  - (iv) the names and roles of the persons who are responsible for managing low visibility operations, and the telephone numbers for contacting them during and after work hours.

***Appendix 1 to subparagraph 139.095 (a) (iii)  
(Particulars of the aerodrome to be notified in  
AIP-ERSA)***

For subparagraph 139.095 (a) (iii), the particulars are:

***General information***

- (a) the following general information about the aerodrome:
- (i) the name of the aerodrome;
  - (ii) the State or Territory where the aerodrome is located;
  - (iii) the geographic coordinates of the aerodrome reference point;
  - (iv) the elevation of the aerodrome, based on the Australian Height Datum;
  - (v) details of the aerodrome beacon;
  - (vi) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times; and

***Information for runways***

- (b) the following information for each runway at the aerodrome:
- (i) the magnetic bearing of the runway and the runway number;
  - (ii) the runway reference code number for the approach and take-off areas that have been surveyed;
  - (iii) the length, width and slopes of the runway;
  - (iv) the length and width of the graded and overall runway strip;
  - (v) the pavement surface type and its strength rating;
  - (vi) the runway declared distances and take-off gradient;
  - (vii) the supplementary take-off distances;
  - (viii) the Aerodrome Obstacle Chart Type A, if applicable; and

**Regulation 139.100**

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*Information about visual aid systems*

- (c) the following information about visual aid systems at the aerodrome:
- (i) the type of runway lighting and the stand-by power, if any, for that lighting;
  - (ii) the type of approach lighting;
  - (iii) the visual approach slope indicator system, if any;
  - (iv) a description of the visual docking guidance systems at any aprons used by aircraft conducting international operations, and the aircraft parking positions where the systems are installed; and

*Local information*

- (d) the following local information about the aerodrome:
- (i) the hours of operation, if applicable;
  - (ii) the available ground services;
  - (iii) any special procedures;
  - (iv) any local precautions.

**139.100 Form of aerodrome manual**

- (1) The operator of a certified aerodrome must keep the copies of the aerodrome manual for the aerodrome in a printed form.

Penalty: 10 penalty units.

- (2) Other copies of the manual may be kept in an electronic form.
- (3) If CASA approves, the manual may consist of more than 1 document.
- (4) The operator must keep the manual in a way that tells a person reading the manual:
- (a) when changes have been made to the information in the manual; and
  - (b) whether the manual is up-to-date.

Penalty: 10 penalty units.



**Regulation 139.115**

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- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

**139.105 Amendments of aerodrome manual**

- (1) The operator of a certified aerodrome must amend the aerodrome manual for the aerodrome, whenever it is necessary to do so, to maintain the accuracy of the manual.

Penalty: 10 penalty units.

- (2) To maintain the accuracy of the aerodrome manual, CASA may give written directions to the operator requiring the operator to amend the manual in accordance with the direction.

- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

**139.110 Notice of amendments**

- (1) The operator of a certified aerodrome must tell CASA, in writing, of any amendment that the operator makes to the aerodrome manual for the aerodrome within 30 days after the amendment is made.

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**139.115 Aerodrome manual controller**

- (1) The operator of a certified aerodrome must appoint a person to be the aerodrome manual controller for the aerodrome's aerodrome manual.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**Regulation 139.120**

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- (3) The functions of the aerodrome manual controller are to ensure that:
- (a) a record is kept of the persons who hold copies of the whole or a part of the aerodrome manual; and
  - (b) updates of information for the manual are distributed to those persons.

**Division 139.B.3            Operation and maintenance of a certified aerodrome**

**139.120 Care and diligence in operation and maintenance**

The operator of a certified aerodrome must ensure that the aerodrome is operated and maintained with a reasonable degree of care and diligence.

Penalty: 20 penalty units.

**139.125 Reporting officer**

- (1) The operator of a certified aerodrome must appoint 1 or more reporting officers for the aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

- (3) The functions of a reporting officer are:

- (a) to monitor the serviceability of the aerodrome; and
- (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under subregulation 139.155 (1).

- (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Penalty: 10 penalty units.

**139.130 Works safety officer for aerodrome works other than time-limited works**

- (1) If aerodrome works (other than time-limited works) are being carried out at a certified aerodrome, the operator of the aerodrome must appoint 1 or more persons as works safety officers for the aerodrome works.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The function of a works safety officer is to ensure aerodrome safety while the aerodrome works are being carried out.
- (4) The operator must not appoint a person as a works safety officer for the aerodrome works if the person has not been trained, in accordance with the Manual of Standards, to perform the works safety officer's function.

Penalty: 10 penalty units.

**139.135 Works safety officer for time-limited works**

If time-limited works are being carried out at a certified aerodrome, the operator of the aerodrome must ensure that a person who has been trained, in accordance with the Manual of Standards, to perform the function of a works safety officer performs that function for those works.

Penalty: 10 penalty units.

**139.140 Training of aerodrome personnel**

The operator of a certified aerodrome must ensure that all personnel of the operator are trained in accordance with the standards for training aerodrome personnel set out in the Manual of Standards.

Penalty: 20 penalty units.

**Regulation 139.145**

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**139.145 Aerodrome manual procedures**

- (1) Subject to any directions issued under subregulation (2), the operator of a certified aerodrome must operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual for the aerodrome.

Penalty: 25 penalty units.

- (2) CASA may direct the operator of a certified aerodrome to change the procedures set out in the aerodrome manual, if CASA considers it necessary in the interests of the safety of aircraft.

- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 25 penalty units.

**139.150 Notice of deviation**

- (1) This regulation applies if a deviation from a procedure set out in the aerodrome manual for a certified aerodrome is made to ensure the safety of aircraft.

- (2) The operator of the aerodrome must tell CASA, in writing, of the deviation within 30 days after the deviation was made.

Penalty: 5 penalty units.

- (3) An offence against subregulation (2) is an offence of strict liability.

**139.155 Notice of changes in physical condition etc of aerodrome**

- (1) The operator of a certified aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:

- (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; and

**Regulation 139.170**

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- (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.

Penalty: 10 penalty units.

- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

Penalty: 10 penalty units.

**139.160 Notice of changes in information published in AIP-ERSA**

- (1) To maintain the accuracy of the information published in AIP-ERSA in relation to a certified aerodrome, the operator of the aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**139.165 Physical characteristics of movement area**

The operator of a certified aerodrome must ensure that the physical characteristics of the movement area comply with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

**139.170 Aerodrome markings**

- (1) The operator of a certified aerodrome must mark the following areas of the aerodrome in accordance with the standards set out in the Manual of Standards:
  - (a) the movement area;
  - (b) any unserviceable area;
  - (c) any works area on or near the movement area.

Penalty: 10 penalty units.

**Regulation 139.175**

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- (2) The operator must ensure that all aerodrome markings are maintained in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (3) In this regulation:

*unserviceable area* means a part of the movement area that is unavailable for use by aircraft.

*works area* means a part of the aerodrome in which maintenance or construction works are in progress that may endanger the safety of aircraft.

**139.175 Signal area**

- (1) The operator of a certified aerodrome that does not have a continuous air traffic service provided by air traffic control during the day must provide a signal area in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) The operator must display an appropriate signal in the signal area in any circumstances set out in the Manual of Standards that require such a signal to be displayed.

Penalty: 10 penalty units.

- (3) The operator must ensure that the signal area and any signal displayed in it are clearly visible to any aircraft intending to use the aerodrome.

Penalty: 10 penalty units.

**139.180 Wind direction indicators — general**

The operator of a certified aerodrome must, in accordance with the standards for wind direction indicators set out in the Manual of Standards, install and maintain at least 1 wind direction indicator at the aerodrome.

Penalty: 10 penalty units.

**139.185 Wind direction indicators — requirement for certain runways**

- (1) If a runway at a certified aerodrome is used in non-precision approach operations, the operator of the aerodrome must ensure that there is a wind direction indicator near the end or ends of the runway at which instrument non-precision approach operations can be conducted.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) CASA may grant an exemption to the operator under regulation 11.160 from compliance with subregulation (1) only if CASA is satisfied that surface wind information is passed to the pilots of aircraft approaching the runway by:
- (a) an automatic weather observing system that:
    - (i) is compatible with the Bureau of Meteorology's weather observing system; and
    - (ii) provides surface wind information through an aerodrome weather information broadcast; or
  - (b) an approved observer having a communication link with pilots through which timely information about surface wind can be clearly passed to pilots; or
  - (c) any other approved means of providing surface wind information.

**139.190 Visual approach slope indicator system**

- (1) The operator of a certified aerodrome must, in accordance with the standards for visual approach slope indicator systems set out in the Manual of Standards, provide an approved visual approach slope indicator system for the end of a runway at the aerodrome if that end is regularly used as the approach end for jet-propelled aircraft conducting regular public transport operations or charter operations.

Penalty: 10 penalty units.

**Regulation 139.195**

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*Note* On 2 May 2003, the visual approach slope indicator systems approved by CASA are the systems known as T-VASIS, AT-VASIS and PAPI.

- (2) CASA may direct the operator to provide an approved visual approach slope indicator system for the approach end or ends of a runway to which subregulation (1) does not apply, if CASA considers it necessary in the interests of the safety of aircraft.
- (3) The operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

**139.195 Lighting of movement area**

- (1) If a certified aerodrome is available for an aircraft to land or take-off at night, or in less than VMC during the day, the operator of the aerodrome must provide and maintain a lighting system for the movement area of the aerodrome that is in accordance with subregulations (2) and (3).

Penalty: 20 penalty units.

- (2) The lighting system must include:
  - (a) lighting of runways, taxiways and aprons intended for use at night or in less than VMC during the day; and
  - (b) lighting of at least 1 wind direction indicator; and
  - (c) lighting of obstacles within the movement area; and
  - (d) if the aerodrome has a runway intended to serve Category I, II or III precision approach operations — approach, runway and taxiway lighting for the runway and taxiway.
- (3) The lighting system must:
  - (a) if the lighting system is of a kind for which standards are specified in the Manual of Standards — meet those standards; or
  - (b) in any other case — be, or be of a kind, approved by CASA.



### **139.200 Checking of lighting systems**

- (1) The operator of a certified aerodrome must not put a new lighting system of a kind mentioned in subregulation (3) into service at the aerodrome if both of the following requirements are not met:
- (a) an approved pilot has conducted a flight check of the system;
  - (b) an electrical engineer or a licensed electrician has checked the system for compliance with any applicable electrical specifications and technical standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) If checking compliance with a specification requires the use of survey instruments, the operator must ensure that the checking is done by:
- (a) a person with a degree, diploma or certificate in surveying or civil engineering; or
  - (b) a person with experience and competence in surveying that is acceptable to CASA.

Penalty: 10 penalty units.

- (3) For subregulation (1), the kinds of lighting systems are as follows:
- (a) an approach lighting system;
  - (b) a runway lighting system for instrument approach runways;
  - (c) a visual approach slope indicator system for jet-propelled aircraft (other than a system intended for use on a temporary basis for a period not longer than 30 days);
  - (d) a pilot-activated lighting system.

### **139.205 Aerodrome emergency committee**

- (1) The operator of a certified aerodrome must establish an aerodrome emergency committee.

Penalty: 10 penalty units.

**Regulation 139.210**

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- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The committee must include a representative from any fire, police or other emergency service that, having regard to the location of the aerodrome, would be likely to be asked to assist if there were an emergency at the aerodrome.

**139.210 Aerodrome emergency plan**

- (1) The aerodrome emergency committee for a certified aerodrome must prepare an aerodrome emergency plan.
- (2) The plan must include:
  - (a) procedures for coordinating the responses of all emergency service organisations referred to in the plan; and
  - (b) any other matters that are required to be included in the emergency plan by the Manual of Standards.
- (3) The committee must review the emergency plan at least once a year and make any changes to the plan that are necessary to ensure that it operates properly.
- (4) The review must be carried out in consultation with the emergency service organisations referred to in the emergency plan.
- (5) As soon as practicable after an emergency exercise has been carried out at the aerodrome, or if an emergency has occurred at the aerodrome, as soon as practicable after the emergency, the operator of the aerodrome must arrange for the committee to:
  - (a) review the effectiveness of the responses to the exercise or the emergency; and
  - (b) assess the adequacy of the emergency plan to deal with emergencies at the aerodrome; and
  - (c) take such corrective action as is necessary to ensure that the plan operates properly.

**Regulation 139.220**

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- (6) The operator must ensure that:
- (a) records of each review of the emergency plan carried out under this regulation are kept; and
  - (b) each record is retained for at least 3 years after the review to which the record relates was carried out.

Penalty: 10 penalty units.

- (7) An offence against subregulation (6) is an offence of strict liability.

**139.215 Testing of aerodrome emergency plan**

- (1) Subject to this regulation, the operator of a certified aerodrome must conduct an emergency exercise at least once every 2 years to test:
- (a) the coordination of the emergency service organisations referred to in the aerodrome's emergency plan; and
  - (b) the adequacy of the procedures and facilities provided for in the plan.

Penalty: 10 penalty units.

- (2) If a real emergency occurs at the aerodrome within 6 months before an emergency exercise is due, the operator may ask CASA to extend the period within which the next emergency exercise must be conducted.
- (3) CASA must grant the request if it is satisfied that:
- (a) all emergency service organisations referred to in the plan responded to the real emergency; and
  - (b) the real emergency adequately tested the plan.
- (4) In granting the request, CASA may extend the period until the end of 2 years after the real emergency occurred.

**139.220 Aerodrome serviceability inspections**

- (1) An *aerodrome serviceability inspection* is an inspection of the aerodrome to ensure that it is safe for aircraft operations.

**Regulation 139.225**

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- (2) The inspection must include the following:
  - (a) an inspection of the movement area to check its surface condition (including for the presence of foreign objects);
  - (b) an inspection of aerodrome markings, lighting, wind direction indicators and ground signals;
  - (c) an inspection for any obstacles infringing the take-off, approach and transitional surfaces;
  - (d) an inspection for any birds or animals on or near the movement area;
  - (e) an inspection of any measures to control the inadvertent entry of persons or animals into the movement area (including aerodrome fencing);
  - (f) an empirical assessment of the bearing strength of unrated runway pavements;
  - (g) an empirical assessment of the runway strip or each runway strip where the runway concerned is not marked and the whole runway strip may be used for aircraft operations;
  - (h) an inspection of the aerodrome's frequency confirmation system (if any);
  - (i) a check of whether any NOTAMS for the aerodrome are current and accurate.
- (3) The inspection must comply with all applicable standards for aerodrome serviceability inspections set out in the Manual of Standards.

**139.225 When aerodrome serviceability inspections must be conducted**

- (1) The operator of a certified aerodrome must conduct an aerodrome serviceability inspection:
  - (a) on each day on which an airline service operates at the aerodrome; or
  - (b) in any other case — at least twice a week.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**Regulation 139.230**

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- (3) The operator of a certified aerodrome must also conduct an aerodrome serviceability inspection:
  - (a) after a gale, storm or other severe weather; and
  - (b) at any time that air traffic control or CASA requires the inspection.

Penalty: 10 penalty units.

**139.230 Aerodrome technical inspections**

- (1) An *aerodrome technical inspection* is an inspection of aerodrome facilities for an aerodrome to ensure that any deterioration that could make a facility unsafe for aircraft operations is detected.
- (2) The inspection must include the following:
  - (a) an instrument survey of the approach, take-off and transitional surfaces;
  - (b) an inspection and testing of the aerodrome lighting and electrical reticulation systems, including the visual approach slope indicator;
  - (c) an electrical testing of any earthing points at the aerodrome;
  - (d) an inspection and assessment of the movement area pavements and drainage;
  - (e) an inspection of signs on the movement area;
  - (f) an inspection of facilities at the aerodrome used for any of the following:
    - (i) aerodrome emergencies;
    - (ii) the handling of hazardous materials;
    - (iii) bird and animal hazard management;
    - (iv) stand-by and emergency aerodrome lighting;
  - (g) an inspection of airside vehicle control arrangements (if any);
  - (h) a check of the currency and accuracy of:
    - (i) aerodrome information published in AIP; and
    - (ii) aerodrome operating procedures specified in the aerodrome manual for the aerodrome.

**Regulation 139.235**

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- (3) The inspection must comply with all applicable standards for aerodrome technical inspections set out in the Manual of Standards.

**139.235 When aerodrome technical inspections must be conducted etc**

- (1) The operator of a certified aerodrome must ensure that:
- (a) an aerodrome technical inspection is conducted at intervals of not more than 12 months; or
  - (b) if the operator has elected to have a part or parts of the inspection conducted at different times under subregulation (2), each facility for the aerodrome to be inspected is inspected at intervals of not more than 12 months.

Penalty: 10 penalty units.

- (2) The operator may elect to have a part or parts of an aerodrome technical inspection conducted at different times from the other parts.
- (3) If it appears from an aerodrome serviceability inspection that a particular facility at the aerodrome requires an aerodrome technical inspection, the operator must ensure that the necessary technical inspection of the facility is conducted as soon as practicable.

Penalty: 10 penalty units.

- (4) The operator:
- (a) must, if the operator has elected to have a part or parts of an aerodrome technical inspection conducted at different times under subregulation (2):
    - (i) keep records of each part of each inspection; and
    - (ii) retain each record for at least 3 years after the part of the inspection to which the record relates was conducted; or
  - (b) must, in any other case:
    - (i) keep records of each inspection; and

**Regulation 139.245**

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- (ii) retain each record for at least 3 years after the inspection to which the record relates was conducted.

Penalty: 10 penalty units.

- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

**139.240 Who may conduct aerodrome technical inspections**

- (1) The operator of a certified aerodrome must ensure that an aerodrome technical inspection is conducted by a person or persons with appropriate technical qualifications and experience.

Penalty: 10 penalty units.

- (2) In particular:

- (a) the movement area, other pavements and drainage must be inspected by a person who has a recognised degree, diploma or certificate in civil engineering or appropriate technical experience; and
- (b) the lighting and electrical facilities must be inspected by an electrical engineer or a licensed electrician; and
- (c) the obstacle limitation surfaces must be inspected by a person who:
  - (i) is technically qualified or experienced in surveying; and
  - (ii) has a sound knowledge and understanding of the standards and survey procedures for obstacle limitation surfaces.

**139.245 Planning and execution of aerodrome works**

- (1) The operator of a certified aerodrome must ensure that any aerodrome works at the aerodrome are carried out in a way that does not create a hazard to aircraft, or confusion to pilots.

Penalty: 10 penalty units.

**Regulation 139.250**

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- (2) The operator must comply with the standards set out in the Manual of Standards in relation to planning and notice requirements that must be satisfied before aerodrome works may be carried out.

Penalty: 10 penalty units.

**139.250 Safety management system**

- (1) This regulation applies:
- (a) to an aerodrome used by aircraft engaged in international operations — on and after 1 November 2005; and
  - (b) to any other certified aerodrome — on and after 1 January 2007.
- (2) The operator of a certified aerodrome to which this regulation applies must ensure that the aerodrome has a safety management system that complies with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

*Note* This regulation is based on an ICAO requirement that is to come into effect in November 2005.

**Division 139.B.4 Aerodromes to which A-SMGCS applies**

**139.251 Definition for Division 139.B.4**

In this Division:

*A-SMGCS* means Advanced Surface Movement Guidance and Control System, as defined in ICAO Document 9830 (Advanced Surface Movement Guidance and Control Systems (A-SMGCS) Manual) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

**139.252 Designation of aerodromes to which A-SMGCS applies**

- (1) CASA may designate a certified aerodrome as an aerodrome to which A-SMGCS applies.



**Regulation 139.254**

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- (2) However, CASA may designate the aerodrome as an aerodrome to which A-SMGCS applies only if:
  - (a) an ATS provider for the aerodrome:
    - (i) asks CASA to designate the aerodrome as an aerodrome to which A-SMGCS applies; and
    - (ii) gives CASA a safety assessment demonstrating that the use of A-SMGCS is necessary to ensure the safe control of aircraft and vehicles operating on the aerodrome's manoeuvring area; and
  - (b) CASA is satisfied, on the basis of the safety assessment, that the use of A-SMGCS is necessary to ensure the safe control of aircraft and vehicles operating on the aerodrome's manoeuvring area.
- (3) The designation must:
  - (a) be in writing; and
  - (b) set out the date it takes effect, which must be not less than 6 months after the day it is made.
- (4) CASA must give a copy of the designation to:
  - (a) the operator of the aerodrome; and
  - (b) the ATS provider who made the request under paragraph (2) (a).
- (5) If CASA:
  - (a) receives a request and safety assessment under paragraph (2) (a) for a certified aerodrome from an ATS provider for the aerodrome; and
  - (b) decides not to designate the aerodrome as an aerodrome to which A-SMGCS applies;

CASA must tell the ATS provider, in writing, as soon as practicable, of the decision and the reasons for it.

**139.254 Vehicles at aerodromes to which A-SMGCS applies**

- (1) This regulation applies to an aerodrome that is designated as an aerodrome to which A-SMGCS applies.
- (2) The operator of the aerodrome commits an offence if the operator does not, before the designation takes effect:

**Regulation 139.254**

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- (a) establish the procedures mentioned in subregulations (3) and (4); and
- (b) publish the procedures in its aerodrome manual.

Penalty: 25 penalty units.

- (3) The procedures must require any vehicle that enters, or moves on, the aerodrome's manoeuvring area:
  - (a) to be fitted with:
    - (i) serviceable electronic surveillance equipment that meets the technical standards for the equipment published in the Manual of Standards; and
    - (ii) serviceable radiocommunications equipment capable of maintaining two-way radio communication with air traffic control; or
  - (b) to be accompanied by another vehicle that meets the requirements mentioned in paragraph (a).
- (4) The procedures must require the driver of a vehicle that is fitted with the equipment mentioned in paragraph (3) (a):
  - (a) to monitor the air traffic control radio frequency for surface traffic at all times that the vehicle is on the aerodrome's manoeuvring area; and
  - (b) to communicate with air traffic control as necessary to ensure the safety of persons, vehicles and aircraft on the manoeuvring area.
- (5) The operator commits an offence if, after the designation takes effect:
  - (a) the operator does not comply with the procedures mentioned in subregulations (3) and (4); or
  - (b) the operator does not ensure that a person who operates a vehicle on the aerodrome's manoeuvring area complies with the procedures; or
  - (c) the operator does not ensure that a driver of a vehicle on the aerodrome's manoeuvring area complies with the procedures.

Penalty: 25 penalty units.

- (6) An offence against subregulation (2) or (5) is an offence of strict liability.

## **Subpart 139.C Registered aerodromes**

### **139.255 Definition for this Subpart**

In this Subpart:

*aerodrome register* means the register established and maintained under regulation 139.275.

### **139.260 Application for registration of aerodrome**

- (1) The operator of an aerodrome (other than a aerodrome to which regulation 139.040 applies) may apply to CASA for registration of the aerodrome.

*Note* See also regulation 139.030 for restrictions on the use of terminal instrument flight procedures.

- (2) An application must be in the approved form and must be accompanied by:
- (a) the information about the aerodrome required by Appendix 1 to this paragraph, including a diagram of the aerodrome in accordance with that Appendix; and
  - (b) a written statement, signed by a person approved under regulation 139.320, to the effect that:
    - (i) the person has conducted a safety inspection of the aerodrome; and
    - (ii) the aerodrome meets the applicable standards referred to in regulation 139.295 for registered aerodromes and is safe for operation; and
  - (c) the name or names of the person or persons who are to be the reporting officers for the aerodrome.
- (3) Despite paragraph (2) (b), until the end of 1 May 2006, the statement mentioned in that paragraph may be given by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320 (2).

**Regulation 139.260**

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***Appendix 1 to paragraph 139.260 (2) (a) (Diagram and information for application for registration of aerodrome)***

- (1) The diagram of the aerodrome must show the following:
  - (a) the layout of runways, their designations (runway numbers) and length in metres;
  - (b) the layout of taxiways and aprons;
  - (c) the location of the aerodrome reference point;
  - (d) the location of all wind direction indicators;
  - (e) the elevation of the aerodrome at the highest point of the landing surface;
  - (f) the magnetic bearing and distance to the nearest population centre, and what that centre is.
- (2) The information about the aerodrome must include:

***Aerodrome administration***

- (a) the following information about the aerodrome and its administration:
  - (i) the name of the aerodrome;
  - (ii) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times;
  - (iii) the State or Territory in which the aerodrome is located and the latitude and longitude for the location;
  - (iv) whether the aerodrome is a public or private aerodrome;
  - (v) the charges for use of the aerodrome;
  - (vi) the name and contact details for the persons who are to be the reporting officers for the aerodrome; and

***Runways***

- (b) the following information for each runway at the aerodrome:
  - (i) the runway reference code number for the approach and take-off areas that have been surveyed;

**Regulation 139.260**

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- (ii) runway width and slope;
- (iii) runway strip width (grade and overall);
- (iv) declared distances and supplementary take-off distances;
- (v) pavement strength rating; and

*Aerodrome lighting*

- (c) for each runway at the aerodrome that may be used at night — the following information:
  - (i) whether the runway edge lights are low, medium or high intensity lights;
  - (ii) whether approach lighting is provided;
  - (iii) whether pilot-activated lighting is provided and, if pilot-activated lighting is provided, its frequency;
  - (iv) whether T-VASIS or PAPI lighting systems are provided;
  - (v) whether there is an aerodrome beacon;
  - (vi) whether there is stand-by power or portable lighting;
  - (vii) information about any other lighting provided; and

*Ground services*

- (d) the following information about ground services available to visiting pilots:
  - (i) the types of aviation fuel available and contact details for fuel suppliers;
  - (ii) contact details for local weather information;
  - (iii) details of the universal communication system; and

*Special procedures*

- (e) information about any special procedures that pilots need to observe or follow; and

*Notices*

- (f) the following local safety information:
  - (i) the presence of obstacles or other hazards (including animals or birds);

**Regulation 139.265**

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- (ii) restrictions on the use of taxiways or aprons;
- (iii) other activities at the aerodrome (for example, sport aviation activities).

**139.265 Registration of aerodromes**

CASA must, if the operator of an aerodrome has applied for registration of the aerodrome in accordance with regulation 139.260:

- (a) register the aerodrome by entering the following information about the aerodrome in the aerodrome register:
  - (i) the name of the aerodrome;
  - (ii) the details of the location of the aerodrome;
  - (iii) the name and address of the operator; and
- (b) tell the operator, in writing, that the aerodrome is registered; and
- (c) direct AIS to publish in AIP-ERSA details of the registration and the information about the aerodrome required by Appendix 1 to paragraph 139.260 (2) (a).

**139.270 Notice of refusal to register aerodrome**

If CASA refuses to register an aerodrome, CASA must, no later than 14 days after it refuses to register the aerodrome, give the operator of the aerodrome written notice of the refusal and the reasons for it.

**139.275 Register**

- (1) CASA must establish and keep, in the approved form, a register of aerodromes registered under this Subpart.
- (2) CASA must make the aerodrome register available for inspection by members of the public at reasonable times and places, and subject to reasonable conditions.
- (3) CASA may comply with subregulation (2) by making the information recorded in the aerodrome register accessible on the Internet.

**Regulation 139.290**

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- (4) CASA must alter the information recorded in the aerodrome register if that information is not up to date.
- (5) CASA must correct the information in the aerodrome register if there is an error in that information.

**139.280 Duration of registration**

- (1) The registration of an aerodrome remains in force unless it is cancelled.
- (2) However, the registration is not in force during any period in which it is suspended.

**139.285 Cancellation of registration on request**

- (1) If the operator of a registered aerodrome wishes the registration of the aerodrome to be cancelled, the operator must give CASA not less than 30 days' written notice of the date on which the operator wishes the registration to be cancelled.
- (2) CASA must cancel the registration on the date specified in the notice and arrange for:
  - (a) the cancellation to be notified in NOTAMS; and
  - (b) details of the registration and any other information about the aerodrome to be removed from AIP-ERSA.

**139.290 Suspension or cancellation of registration by CASA**

- (1) CASA may, by written notice given to the operator of a registered aerodrome, suspend or cancel the registration of the aerodrome if there are reasonable grounds for believing that:
  - (a) the aerodrome fails to meet any of the standards applicable to the aerodrome under regulation 139.295; or
  - (b) the operator of the aerodrome has failed to comply with regulation 139.025, 139.300, 139.305, 139.310 or 139.315.
- (2) Before suspending or cancelling the registration of an aerodrome, CASA must:
  - (a) give to the operator a show cause notice that:

**Regulation 139.295**

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- (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and
  - (ii) invites the operator to show cause, in writing, within 30 days after the date of the notice, why the registration should not be suspended or cancelled; and
- (b) take into account any written submissions that the operator makes to CASA within the time allowed under subparagraph (a) (ii).

**139.295 Applicable standards for registered aerodromes**

The standards applicable to registered aerodromes are:

- (a) the standards applicable to certified aerodromes in relation to the following matters:
  - (i) physical characteristics of the movement area;
  - (ii) obstacle limitation surfaces;
  - (iii) aerodrome markings;
  - (iv) lighting;
  - (v) wind direction indicators;
  - (vi) signal circle and ground signals; and
- (b) any other standards set out in the Manual of Standards that are applicable to registered aerodromes.

**139.300 Reporting officer**

- (1) The operator of a registered aerodrome must appoint 1 or more reporting officers for the aerodrome.
- (2) The functions of a reporting officer are:
  - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and
  - (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under regulation 139.305.



**Regulation 139.315**

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- (3) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

**139.305 Notice of changes in physical condition etc of aerodrome**

- (1) The operator of a registered aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:
  - (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; or
  - (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.
- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

**139.310 Notice of changes in information published in AIP-ERSA**

To maintain the accuracy of the information published in AIP-ERSA in relation to a registered aerodrome, the operator of the aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

**139.315 Safety inspections**

- (1) This regulation applies to a registered aerodrome that is used by an aircraft that:
  - (a) is engaged in regular public transport operations or charter operations; and
  - (b) has a maximum passenger seating capacity of more than 9 seats.
- (2) The operator of the aerodrome must arrange for a safety inspection of the aerodrome to be conducted at least once each year.

**Regulation 139.315**

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- (3) The safety inspection must be conducted by a person approved under regulation 139.320.
- (4) The approved person must give the operator a written report that:
  - (a) deals with the matters set out in Appendix 1 to this paragraph; and
  - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.
- (5) Within 30 days after receiving the report, the operator must give to CASA:
  - (a) a copy of the report; and
  - (b) if the report specifies any remedial work as being necessary — a statement as to when and how the operator intends to do the remedial work.
- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation 139.320 but met the requirements of Part 1 of Schedule 11 of CAR as in force immediately before that commencement.

***Appendix 1 to paragraph 139.315 (4) (a) (Matters to be dealt with in safety inspections)***

*Details of aerodrome*

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
  - (a) details of the location of the aerodrome;
  - (b) the name and address of the aerodrome operator;
  - (c) details of the movement area;
  - (d) details of runway distances available;
  - (e) details of the aerodrome lighting;
  - (f) details of ground services;
  - (g) notice of special conditions and procedures, if any.

**Regulation 139.320**

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*Aerodrome operating procedures*

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
  - (a) recording of aerodrome inspections;
  - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
  - (c) recording of aerodrome works.

*Reporting officer*

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

*Details relating to movement area etc*

- (4) Check the following:
  - (a) dimensions and surface conditions of runways, taxiways and aprons;
  - (b) aerodrome lighting, including back-up lighting and obstacle lighting;
  - (c) wind direction indicators and their illumination;
  - (d) aerodrome markings and signs;
  - (e) obstacle limitation surfaces applicable to the aerodrome;
  - (f) two-way radios (whether hand-held or installed in vehicles) used by the aerodrome operator on the movement area;
  - (g) equipment used for dispersing birds;
  - (h) aerodrome fencing.

**139.320 Approval of persons to conduct aerodrome safety inspections**

- (1) A person may apply to CASA for approval to conduct aerodrome safety inspections for this Subpart.

*Note 1* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

*Note 2* Part 11 deals with applications and decision making.

**Regulation 139.325**

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- (2) Subject to regulation 11.055, CASA must approve the person if CASA is satisfied that the person:
- (a) has:
    - (i) a recognised degree, diploma or certificate in civil engineering, surveying or a related field and a sound knowledge of the parts of these Regulations and the standards, practices and procedures that are applicable to the operation and maintenance of aerodromes; or
    - (ii) other qualifications, knowledge and experience that CASA considers suitable for conducting an aerodrome safety inspection; and
  - (b) would, if the approval is given, be able to perform properly the aerodrome safety inspection function.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

**139.325 Duration of approval**

- (1) Unless sooner cancelled, an approval under regulation 139.320 remains in force until the end of 5 years after it is given.
- (2) An approval is not in force during any period in which it is suspended, but the period of suspension counts as part of the 5 year approval period.

**139.330 Suspension or cancellation of approval by CASA**

- (1) CASA may suspend or cancel an approval of a person under regulation 139.320, by written notice given to the person, if the person has not properly carried out, or is no longer properly carrying out, the aerodrome safety inspection function.
- (2) Before cancelling or suspending the approval, CASA must:
  - (a) give the person written notice:
    - (i) stating the reasons that, in the opinion of CASA, would justify the cancellation or suspension; and

**Regulation 139.340**

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- (ii) advising the person that he or she may, within 30 days after the date of the notice, give CASA written reasons why the approval should not be suspended or cancelled; and
- (b) take into account any written reasons given to it by the person within the time allowed under subparagraph (a) (ii).

**Subpart 139.D      Reporting officer and safety inspection requirements for certain other aerodromes**

**139.335 Aerodromes to which this Subpart applies**

- (1) This Subpart applies to an aerodrome that:
  - (a) is not a certified aerodrome or a registered aerodrome; and
  - (b) is used at least once a week by an aircraft that:
    - (i) is engaged in regular public transport operations or charter operations; and
    - (ii) has a maximum passenger seating capacity of more than 9 seats but not more than 30 seats.
- (2) To establish the applicability of this Subpart to an aerodrome, CASA may direct the operator of the aerodrome to give to CASA statistics about the number of movements at the aerodrome, in a specified period, of aircraft to which subparagraphs (1) (b) (i) and (ii) apply.
- (3) An aerodrome operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

**139.340 Reporting officer**

- (1) The operator of an aerodrome to which this Subpart applies must appoint 1 or more reporting officers for the aerodrome.

Penalty: 10 penalty units.

**Regulation 139.345**

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- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of a reporting officer are:
  - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and
  - (b) to report to the operators that use the aerodrome any changes in conditions, or any other occurrences, at the aerodrome that may affect the safety of aircraft operations.
- (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Penalty: 10 penalty units.

**139.345 Safety inspections**

- (1) The operator of an aerodrome to which this Subpart applies must arrange for a safety inspection of the aerodrome to be conducted at least once each year.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The safety inspection must be conducted by a person approved, under regulation 139.320, to conduct safety inspections for Subpart 139.C.

Penalty: 10 penalty units.

- (4) The approved person must give the operator a written report that:
  - (a) deals with the matters set out in Appendix 1 to this paragraph; and
  - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.
- (5) Within 30 days after receiving the report, the operator must give to CASA:
  - (a) a copy of the report; and

**Regulation 139.345**

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- (b) if the report specifies any remedial work as being necessary — a statement as to when and how the operator intends to do the remedial work.

Penalty: 10 penalty units.

- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320 (2).

***Appendix 1 to paragraph 139.345 (4) (a) (Matters to be dealt with in safety inspections)***

*Details of aerodrome*

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
  - (a) details of the location of the aerodrome;
  - (b) the name and address of the aerodrome operator;
  - (c) details of the movement area;
  - (d) details of runway distances available;
  - (e) details of the aerodrome lighting;
  - (f) details of ground services;
  - (g) notice of special conditions and procedures, if any.

*Aerodrome operating procedures*

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
  - (a) recording of aerodrome inspections;
  - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
  - (c) recording of aerodrome works.

**Regulation 139.350**

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*Reporting officer*

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

*Details relating to movement area etc*

- (4) Check the following:
- (a) dimensions and surface conditions of runways, taxiways and aprons;
  - (b) aerodrome lighting, including back-up lighting and obstacle lighting;
  - (c) wind direction indicators and their illumination;
  - (d) aerodrome markings and signs;
  - (e) obstacle limitation surfaces applicable to the aerodrome;
  - (f) two-way radios whether hand-held or installed in vehicles used by the aerodrome operator on the movement area;
  - (g) equipment used for dispersing birds;
  - (h) aerodrome fencing.

**Subpart 139.E      Obstacles and hazards**

**139.350 Monitoring of airspace**

- (1) The operator of a certified aerodrome or a registered aerodrome must monitor the airspace around the aerodrome for infringement of the obstacle limitation surfaces by:
- (a) any object, building or structure; or
  - (b) any gaseous efflux having a velocity exceeding 4.3 metres per second.
- (2) The monitoring must be in accordance with the standards set out in the Manual of Standards.

**139.355 Establishment of obstacle limitation surfaces**

An aerodrome operator must ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards set out in the Manual of Standards.



**Regulation 139.370**

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**139.360 Notice of obstacles**

- (1) An aerodrome operator must take all reasonable measures to ensure that obstacles at, or within the vicinity of, the aerodrome are detected as quickly as possible.
- (2) If the operator becomes aware of the presence of an obstacle, the operator must:
  - (a) tell the NOTAM Office immediately; and
  - (b) give the NOTAM Office details of:
    - (i) the height and location of the obstacle; and
    - (ii) amended declared distances and gradients, if applicable.

Penalty: 10 penalty units.

- (3) If the operator becomes aware of any development or proposed construction near the aerodrome that is likely to create an obstacle, the operator must:
  - (a) tell CASA as soon as practicable; and
  - (b) give to CASA details of the likely obstacle.

Penalty: 10 penalty units.

**139.365 Structures 110 metres or more above ground level**

A person who proposes to construct a building or structure the top of which will be 110 metres or more above ground level must inform CASA of that intention and the proposed height and location of the building or structure.

Penalty: 10 penalty units.

**139.370 Hazardous objects etc**

- (1) CASA may determine, in writing, that:
  - (a) an obstacle, or any proposed development or other proposed construction that is likely to create an obstacle;  
or

**Regulation 139.370**

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- (b) a building or structure the top of which is 110 metres or more above ground level; or
  - (c) a proposed building or structure the top of which will be 110 metres or more above ground level;  
is, or will be, a hazardous object because of its location, height or lack of marking or lighting.
- (2) CASA may determine, in writing, that a gaseous efflux having a velocity exceeding 4.3 metres per second is, or will be, a hazard to aircraft operations because of the velocity or location of the efflux.
- (3) If CASA makes a determination under subregulation (1) or (2), it must:
- (a) publish in AIP or NOTAMS particulars of the hazardous object or gaseous efflux to which the determination relates; and
  - (b) give written notice of the determination in accordance with subregulation (4).
- (4) CASA must give a copy of the notice:
- (a) in the case of a hazardous object that is a proposed building or structure:
    - (i) to the person proposing to construct the building or structure; and
    - (ii) to the authority or, if applicable, one or more of the authorities whose approval is required for the construction; and
  - (b) in any other case, if a person who owns or is in occupation or control of the hazardous object, or owns or is in control of the installation that produces the gaseous efflux, can reasonably be identified — to that person.

## **Subpart 139.F Aerodrome radio communication services**

### **Division 139.F.1 General**

#### **139.375 Aerodrome operators to collect statistics if directed**

- (1) If CASA considers it necessary in the interests of the safety of air navigation, CASA may, in writing, give directions to an aerodrome operator about collecting:
  - (a) statistics about:
    - (i) the types of aircraft using the aerodrome; and
    - (ii) the times of aircraft movements at the aerodrome; and
  - (b) other information, specified by CASA in the direction, that is relevant to deciding what radio communication services or air traffic services should be provided at the aerodrome.
- (2) An aerodrome operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

### **Division 139.F.2 Frequency confirmation system**

#### **139.380 Definitions for Division 139.F.2**

In this Division:

*frequency confirmation system* means a ground radio system at an aerodrome that, if it receives a transmission from an aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

*non-controlled aerodrome* means an aerodrome at which an air traffic control service is not operating.

**Regulation 139.385**

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**139.385 Aerodromes that must have a frequency confirmation system**

- (1) The operator of a non-controlled aerodrome must ensure that there is a frequency confirmation system for the aerodrome in accordance with subregulation (2) if:
  - (a) the aerodrome is located in an MBZ; or
  - (b) the aerodrome is used at least 5 times a week by aircraft that:
    - (i) are engaged in regular public transport operations or charter operations; and
    - (ii) have a maximum passenger seating capacity of more than 9 seats.

Penalty: 10 penalty units.

- (2) The frequency confirmation system must comply with the standards for frequency confirmation systems set out in the Manual of Standards.

**Division 139.F.3 Air/ground radio service**

**139.390 Definitions for Division 139.F.3**

In this Division:

*AAIS* (automatic aerodrome information service) means the service that provides current, routine information for aircraft arriving at or departing from an aerodrome by means of repetitive broadcasts on a discrete frequency.

*air/ground radio service* means an aerodrome radio information service that provides aircraft operating in the MBZ of an aerodrome with the services and information specified in section 14.2 of the Manual of Standards.

*certified air/ground radio operator*, or *CA/GRO*, means a person who is certified as a CA/GRO under regulation 139.430.

*certified air/ground radio service*, or *CA/GRS*, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

### **139.395 Air/ground radio service must be certified**

- (1) The operator of an aerodrome must not operate, or permit to be operated, at the aerodrome an air/ground radio service that is not a CA/GRS.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) Subregulation (1) does not apply if the operator has CASA's written approval to operate the service for the purpose of conducting tests necessary to determine whether the service meets the standards for a CA/GRS set out in the Manual of Standards.

### **139.400 Direction by CASA to provide CA/GRS**

- (1) CASA may direct the operator of an aerodrome to provide a CA/GRS at the aerodrome.
- (2) CASA must not give a direction under subregulation (1) unless an aeronautical study for the aerodrome has found that a CA/GRS is required at the aerodrome for the safety of air navigation.
- (3) An operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

### **139.405 Voluntary provision of CA/GRS**

An aerodrome operator who has not been given a direction under regulation 139.400 may provide a CA/GRS at the aerodrome.

### **139.410 Certification of air/ground radio service**

- (1) The operator of an aerodrome may ask CASA to certify an air/ground radio service for the aerodrome as meeting the standards for a CA/GRS set out in the Manual of Standards.

**Regulation 139.415**

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- (2) A request must be made to CASA in accordance with the Manual of Standards.
- (3) If the operator asks CASA to certify an air/ground radio service under this regulation, or because of a direction under regulation 139.400, CASA must certify the service if it meets the standards for a CA/GRS set out in the Manual of Standards.

**139.415 General obligations of aerodrome operator**

The operator of an aerodrome that has a CA/GRS must ensure that:

- (a) the CA/GRS is provided with the facilities required for a CA/GRS by the Manual of Standards; and
- (b) only a CA/GRO operates the CA/GRS; and
- (c) if the aerodrome is a certified aerodrome — the aerodrome manual for the aerodrome includes the operational procedures for the CA/GRS; and
- (d) the CA/GRS is operated in accordance with regulation 139.420.

Penalty: 10 penalty units.

**139.420 When CA/GRS must be operating**

- (1) The CA/GRS must be operating for the arrival and departure of an aircraft that:
  - (a) is engaged in regular public transport operations or charter operations; and
  - (b) has a maximum passenger seating capacity of more than 30 seats.
- (2) Subregulation (1) does not apply if:
  - (a) an air traffic control service is operating at the aerodrome; or
  - (b) an exemption from the requirement is in effect under regulation 11.160.
- (3) Also, subregulation (1) does not apply for the limited period mentioned in subregulation (4) if:

**Regulation 139.430**

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- (a) the CA/GRO is absent from duty because of sickness or injury; or
  - (b) the CA/GRS is unserviceable.
- (4) The *limited period* is the lesser of:
- (a) 7 days; and
  - (b) the period of the absence from duty or the unserviceability.

**139.425 Information about operating hours to be given to NOTAM Office**

- (1) The operator of an aerodrome that has a CA/GRS must give the NOTAM Office the following information, in writing:
- (a) the hours of operation of the CA/GRS;
  - (b) the radio frequency and the call-sign of the CA/GRS;
  - (c) the radio frequency of the AAIS for the aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) If the CA/GRS becomes unavailable at the hours of operation notified under paragraph (1) (a), the operator must tell the NOTAM Office as soon as practicable.

Penalty: 10 penalty units.

**139.430 Certified air/ground radio operators**

- (1) A person may apply to CASA for certification as a CA/GRO.
- (2) The application must be made to CASA in accordance with the Manual of Standards.
- (3) Subject to regulation 11.055, on receiving an application under this regulation, CASA must grant the application if the applicant meets the standards for a CA/GRO set out in the Manual of Standards.

**Regulation 139.435**

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**139.435 Offences**

- (1) When a CA/GRO is providing a CA/GRS, he or she must not perform any other duties that are unrelated to the provision of the CA/GRS.

Penalty: 5 penalty units.

- (2) The operator of an aerodrome must not allow a CA/GRO to provide a CA/GRS at the aerodrome if:

- (a) the CA/GRO:

- (i) has consumed any alcohol in the 8 hours before the service is to be provided; or  
(ii) is suffering from an incapacity that is likely to impair his or her efficiency in providing the service; and

- (b) the operator knows of that fact.

Penalty: 5 penalty units.

**Subpart 139.H Aerodrome rescue and firefighting services**

*Note* As a signatory to the Chicago Convention, Australia is obliged to require, as part of its domestic law, that certain classes of airport provide rescue and firefighting services of an adequate standard. (See generally section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.) To satisfy that obligation, this Subpart requires operators of aerodromes that have scheduled international traffic, or specified levels of domestic passenger traffic, to provide those services, and sets out the standards that apply to such services. Aerodromes that are not obliged to provide an ARFFS may choose to do so, and this Subpart will apply to a service so provided until the operator gives reasonable notice that it will no longer provide such a service.

**Division 139.H.1 General**

**139.700 Applicability of this Subpart**

- (1) This Subpart applies to aerodrome rescue and firefighting services.



**Regulation 139.705**

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- (2) This Subpart sets out:
- (a) how a person receives approval as a provider of an aerodrome rescue and firefighting service; and
  - (b) the operating and technical standards applicable to such a service.

*Note* In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as a provider of an aerodrome rescue and firefighting service.

- (3) This Subpart does not apply to:
- (a) a person who is providing an aerodrome rescue and firefighting service in the course of his or her duties for the Defence Force; or
  - (b) any aerodrome rescue and firefighting service provided by the Defence Force.

### **139.705 Definitions for this Subpart**

- (1) In this Subpart:
- airside* of an aerodrome has the same meaning as *airside* of an airport in the *Airports Act 1996*.
- ARFFS* means aerodrome rescue and fire-fighting service.
- ARFFS operation* means an operation undertaken in carrying out a function mentioned in paragraph 139.710 (1) (a) or (b).
- ARFFS provider* for an aerodrome means the person or organisation that provides ARFFS for the aerodrome.
- category* of an aerodrome means its category worked out by the method set out in section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.
- ERSA* means the part of AIP known as En Route Supplement Australia.
- Manual of Standards* means the document called ‘Manual of Standards (MOS) – Subpart 139.H’ issued by CASA under regulation 139.712, as in force from time to time.
- (2) A reference in this Subpart to an AFC certificate of a particular level is a reference to:
- (a) a certificate of that level issued under the Australian Fire Competencies Scheme (that is, the training scheme

**Regulation 139.710**

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administered by the Australian Fire Authorities Council);  
or

- (b) a certificate accepted by CASA as indicating that the certificate holder has successfully completed a training program of a standard equivalent to that required for the issue of an AFC certificate of that level.

**139.710 Functions of ARFFS**

- (1) The functions of an ARFFS for an aerodrome are:
  - (a) to rescue persons and property from an aircraft that has crashed or caught fire during landing or take-off; and
  - (b) to control and extinguish, and to protect persons and property threatened by, a fire on the aerodrome, whether or not in an aircraft.
- (2) Nothing in subregulation (1) prevents the ARFFS provider for an aerodrome from performing fire control services or rescue services elsewhere than on an aerodrome, but the provider must give priority to operations mentioned in subregulation (1).

**139.711 Person not to provide service without approval**

- (1) A person must not provide an ARFFS at an aerodrome unless the person is approved, under Division 139.H.5, to provide the ARFFS.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

**139.712 Issue of Manual of Standards**

- (1) CASA may issue a Manual of Standards for this Subpart that provides for the following matters:
  - (a) standards and criteria for the establishment and disestablishment of an ARFFS;
  - (b) standards relating to the procedures, systems and documents required for the provision of an ARFFS;

**Regulation 139.750**

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- (c) standards for facilities and equipment used to provide an ARFFS;
- (d) standards, including competency standards, minimum qualifications and training standards, for persons engaged in an ARFFS;
- (e) any matter required or permitted by the regulations to be provided for by the Manual of Standards;
- (f) any matter necessary or convenient to be provided for the effective operation of this Subpart.

*Note* A Manual of Standards is a legislative instrument — see subsections 98 (5A) and (5B) of the Act and subparagraph 6 (d) (i) of the *Legislative Instruments Act 2003*. It must be registered in accordance with the latter Act and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Subpart (being a notice referred to in subregulation 11.275 (3) or regulation 11.280) to each ARFFS provider.

*Note* Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

**139.715 Effect of Manual of Standards**

- (1) If CASA sets out, in the Manual of Standards, a way of complying with a requirement of this Subpart, an ARFFS provider who uses that way is taken to have complied with the requirement unless the contrary is shown.
- (2) CASA may take the extent to which an ARFFS provider complies with the Manual into account in deciding whether the service provided by the provider is adequate.

**Division 139.H.3 Requirements to be complied with by ARFFS provider**

**139.750 Requirements in this Division**

A requirement in this Division for there to be a system or procedure to do something is a requirement that the system or procedure:

**Regulation 139.755**

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- (a) must exist; and
- (b) must be in use.

**139.755 Definition for Division — *applicable standards and requirements***

- (1) In this Division:

*applicable standards and requirements*, for an aerodrome of a particular category, means:

- (a) for an aerodrome to which subregulation (2) applies — the standards and requirements for an aerodrome of its category set out in:
  - (i) Chapter 9 of Annex 14 to the Chicago Convention; and
  - (ii) the Manual of Standards; or
- (b) for any other aerodrome — the standards and requirements for an aerodrome of its category set out in the Manual of Standards.

- (2) This subregulation applies to:

- (a) an aerodrome from or to which an international passenger air service operates; and
- (b) any other aerodrome through which more than 350 000 passengers passed on air transport flights during the previous financial year.

- (3) In paragraph (2) (a):

*international passenger air service* means:

- (a) an international air service (within the meaning given by subsection 3 (1) of the *Air Navigation Act 1920*) that carries passengers, other than a non-scheduled service (within the meaning given by that subsection); or
- (b) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, carried out under a permission granted under section 15D of the *Air Navigation Act 1920*; or
- (c) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, in a category in respect of which the Secretary to the Department has

**Regulation 139.771**

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determined, under subsection 15A (3) of that Act, that such a permission is not required.

- (4) For paragraph (2) (b), the number of passengers that pass through an aerodrome is to be determined according to statistics published by the Department.

*Note* **Department** means the Department administered by the Minister who administers these Regulations (see the *Acts Interpretation Act 1901*, subsection 19A (3) and section 46). At present that Department is the Department of Transport and Regional Services.

**139.760 Inconsistency between Manual and chapter 9 of Annex 14**

If a requirement of the Manual of Standards, as it applies to a particular aerodrome, is inconsistent with a requirement of chapter 9 of Annex 14 to the Chicago Convention, as it applies to that aerodrome, the requirement of the Manual prevails to the extent of the inconsistency.

**139.765 Knowledge, equipment and expertise to deal with aviation hazards**

An ARFFS provider must have the knowledge, equipment and expertise to deal with any hazard likely to arise during an aviation accident or incident, including any hazard mentioned in the Manual of Standards.

**139.770 General obligation to maintain service**

- (1) An ARFFS provider must ensure that the service is available during the period or periods published in ERSA as the period or periods of its availability.
- (2) Subregulation (1) does not prevent the level of protection provided during predictable periods of reduced activity at the aerodrome from being reduced, within the limit allowed by Chapter 9 of Annex 14 to the Chicago Convention.

**139.771 Response time of ARFFS**

- (1) An ARFFS must be able to meet the criteria for response time set out in Chapter 9 of Annex 14 to the Chicago Convention.

**Regulation 139.772**

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- (2) Subregulation (1) applies to an ARFFS whether or not Annex 14 to the Chicago Convention applies to the ARFFS.

**139.772 Buildings and emergency facilities**

- (1) An ARFFS provider for an aerodrome to which subregulation 139.755 (2) applies must ensure that the necessary buildings and facilities for the service, including the following, are at the aerodrome:
- (a) a fire station;
  - (b) communications facilities;
  - (c) facilities for the maintenance of vehicles and equipment;
  - (d) training facilities;
  - (e) storage facilities;
  - (f) if there is a body of water within 1 000 metres of a runway threshold — a boat ramp and boat launching facilities.
- (2) The ARFFS provider must ensure that those buildings and facilities comply with any applicable requirements (including requirements as to location) in the Manual of Standards.
- (3) The ARFFS provider must ensure that there is a facility, in accordance with the requirements of the Manual of Standards, for replenishing the water supply of a fire fighting vehicle.
- (4) The ARFFS provider must ensure that there are the appropriate emergency roads on the aerodrome in accordance with the requirements of the Manual of Standards.
- (5) An ARFFS provider must ensure that there are, at an aerodrome other than one to which subregulation 139.755 (2) applies, the following facilities:
- (a) a standby point for an emergency vehicle that will allow the vehicle to achieve the response time required by the Manual of Standards;
  - (b) storage for a reserve stock of extinguishing agents.

### **139.773 Officer in charge**

- (1) An ARFFS provider must appoint, as officer in charge of ARFFS operations for an aerodrome, a person who is based at the aerodrome and who holds:
  - (a) for an aerodrome categorised as Category 6 or above — an AFC Advanced Diploma that meets the standards in the Manual of Standards; or
  - (b) for an aerodrome categorised as Category 5 or below — an AFC Diploma that meets the standards in the Manual of Standards.
- (2) In paragraphs (1) (a) and (b):  
*AFC* means Australian Fire Competencies.

### **139.775 Notice about times service is available etc**

- (1) An ARFFS provider must ensure that notice is published in ERSAs of the hours during which the service is available.
- (2) If for some reason (such as an emergency on the aerodrome) it becomes temporarily impossible to provide an ARFFS to the standard required by this Subpart, the provider must tell the Australian NOTAM Office:
  - (a) of the reduction in the service; and
  - (b) how long it is likely to be before the full service is restored.
- (3) The provider must tell CASA in writing of any proposed reduction in the standard of service that:
  - (a) will last longer than 24 hours; or
  - (b) reduces the standard of ARFFS provided at the airport concerned to a greater extent than is permissible under Chapter 9 of Annex 14 to the Chicago Convention.

### **139.780 Agreements with other fire fighting bodies**

- (1) An ARFFS provider may make an arrangement:
  - (a) for an aerodrome that is a joint user airport (within the meaning of the *Airports Act 1996*) — with the Defence Force for the provision of the ARFFS provider's services

**Regulation 139.785**

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to the Defence Force for the part of the aerodrome under the control of the Force; or

- (b) with a State or Territory, or another person or body, for the services of the provider for firefighting or rescue in the State or Territory beyond the airside of the aerodrome concerned.

- (2) If a provider makes such an arrangement, the provider must ensure that it is recorded in writing.

**139.785 Stock of fire extinguishing agents**

- (1) There must be, on the aerodrome, a stock of fire-extinguishing agents of the kind or kinds, and meeting the performance standards, required by the applicable standards and requirements.
- (2) The fire-extinguishing agents must be held in at least the quantities required by those standards and requirements.

**139.795 Extinguishing equipment and vehicles**

- (1) There must be, on the aerodrome, vehicles and equipment for delivering extinguishing agent onto a fire.
- (2) There must be at least as many vehicles, and at least as much equipment, as required by the applicable standards and requirements.
- (3) Each vehicle or piece of equipment:
  - (a) must be capable of delivering extinguishing agent onto a fire at at least the rate required by the applicable standards and requirements; and
  - (b) must have at least the performance (in other respects) required by those standards and requirements.
- (4) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (5) Each vehicle and piece of equipment must be in good working order.



**Regulation 139.805**

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- (6) The vehicles must be of a colour permitted by the applicable standards and requirements.
- (7) The provider must keep maintenance instructions for each vehicle and each piece of the equipment, including all the information necessary to permit an appropriately qualified and technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the vehicle or equipment.

**139.800 Other vehicles and equipment**

- (1) There must be, at the aerodrome, enough vehicles and equipment (other than vehicles and equipment for delivering extinguishing agent onto a fire) to provide the service, in accordance with the applicable standards and requirements.
- (2) The performance of the vehicles and equipment must be in accordance with the applicable standards and requirements.
- (3) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (4) The provider must keep maintenance instructions for each piece of the provider's equipment, including all the information necessary to permit a technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the equipment.

**139.805 Vehicles and equipment for firefighting and rescue in difficult environments**

- (1) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, there must be appropriate vehicles, boats and equipment for firefighting and rescue in that environment within 1 000 metres of the threshold of each runway.
- (2) The vehicles, boats and equipment must be in at least the numbers and quantity required by the applicable standards and requirements.

**Regulation 139.810**

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- (3) The vehicles and boats must be of a colour required or permitted by the applicable standards and requirements.

**139.810 Commissioning of certain equipment**

An ARFFS provider must not begin to use a piece of operational equipment for the purpose of an ARFFS unless the equipment has been approved by CASA as conforming to specifications and any applicable standards, in accordance with the operator's aerodrome manual, and any applicable standards or requirements in the Manual of Standards.

**139.815 Protective clothing and equipment**

At the aerodrome there must be, for the firefighters and rescue personnel:

- (a) protective clothing that complies with:
  - (i) if there is a relevant Australian Standard (as in force immediately before this regulation commences) — that Standard; or
  - (ii) if there is no such Australian Standard — any relevant internationally recognised standard;in at least the quantity required by the applicable standards and requirements; and
- (b) other protective equipment in the quantity required by, and of a kind in accordance with, those standards and requirements.

**139.820 Communications**

- (1) There must be, on the aerodrome, sufficient communications equipment available to provide communication during an ARFFS operation.
- (2) The vehicles used for the service must carry suitable communications equipment.
- (3) A person who is required to operate the equipment must hold a licence or certificate of a kind mentioned in paragraph 83 (1) (d) of CAR 1988 and appropriate to the equipment.

**Regulation 139.835**

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- (4) The equipment must not interfere, when in use, with communications equipment used by the air traffic service at the aerodrome.

**139.825 Test and maintenance equipment**

- (1) The provider must have the necessary equipment and tools, in accordance with the applicable standards and requirements, to test and maintain the equipment used to provide the service.
- (2) If the applicable standards and requirements require particular test or maintenance equipment, particular kinds of test or maintenance equipment, or particular numbers or quantities of a particular type of test or maintenance equipment, the provider must have that equipment or that number or quantity of that type of equipment.

**139.830 Commissioning of new vehicles and equipment**

The provider must not put a new vehicle, or a new item of equipment that affects the quality or rate of discharge of extinguishing agent, into service unless:

- (a) the vehicle or equipment has been approved by CASA, for conformity to specification and the applicable standards and requirements, in accordance with the provider's operations manual; and
- (b) CASA has acknowledged that the vehicle or equipment meets the applicable standards and requirements; and
- (c) any necessary personnel training has been completed.

**139.835 Number of operating personnel**

- (1) During any period announced in ERSA as a period during which ARFFS is available at an aerodrome, there must be enough trained personnel available at the aerodrome to operate the equipment and vehicles required to provide the service at full capacity.
- (2) Those personnel must be stationed at places that allow the ARFFS to respond to an emergency at least as quickly as required by the applicable standards and requirements.

**Regulation 139.840**

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**139.840 Medical standard of firefighters**

- (1) The people employed as firefighters must meet the medical standard for firefighters set out in the Manual of Standards.
- (2) There must be a system of continuing medical checks for the people employed as firefighters that ensures that the ARFFS provider knows whether or not those people continue to meet that standard.

**139.845 Qualifications and training of firefighters**

- (1) The people employed as firefighters must already be trained to at least AFC Certificate 2 standard, or, if for a particular position the Manual of Standards specifies a higher standard, that higher standard.
- (2) Before being used in any operational capacity, those people must also receive, or have received, appropriate training in dealing with hazards specific to aviation accidents and incidents, to the extent that such training is not part of the training required for an AFC Certificate 2.
- (3) The people employed as firefighters must receive appropriate training to familiarise them with local conditions.
- (4) There must be ongoing training for the people employed as firefighters to ensure that they continue to meet that standard.
- (5) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, the firefighters must be appropriately trained to carry out their functions in that environment.

**139.850 Operations manual**

- (1) There must be an operations manual for the service that complies with the standards set out in the Manual of Standards.
- (2) The operations manual must include a chart showing the organisations that provide services to the provider, setting out the roles and responsibilities of those organisations and how those roles and responsibilities affect the Aerodrome Emergency Procedures for the aerodrome concerned.

**Regulation 139.870**

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- (3) The operations manual must be kept up to date.
- (4) Each of the provider's employees must have ready access to an up-to-date copy of the operations manual.
- (5) The provider must give CASA a copy of the operations manual, and of any changes to it.
- (6) There must be an up-to-date copy of the operations manual at each operational station.
- (7) The provider must comply with the requirements of the operations manual.

**139.855 Amendment of operations manual**

- (1) An ARFFS provider may amend its operations manual, but an amendment is of no effect until approved in writing by CASA.
- (2) CASA may direct an ARFFS provider to amend its operations manual in a way specified in the direction.
- (3) The provider must comply with the direction.

**139.860 Voice data recording**

There must be a system to record electronically, in accordance with the standards or requirements set out in the Manual of Standards, any voice communication by radio or telephone in the course of an ARFFS operation.

**139.865 Record of accidents or incidents**

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to record the details of any aircraft accident or incident, or building fire, in relation to which the service is required to take any action.

**139.870 Contingency plan**

- (1) There must be a plan, in accordance with the standards or requirements set out in the Manual of Standards, of the procedures to be used in the event of an emergency that results, or may result, in the service being interrupted.

**Regulation 139.875**

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- (2) The plan must include at least the following:
  - (a) actions to be taken by firefighters and rescue personnel;
  - (b) possible alternative arrangements for providing the service (including arrangements for procuring any necessary replacement vehicles or spare parts, or supplies of extinguishing materials);
  - (c) notification procedures;
  - (d) procedures for re-establishing normal services.

**139.875 Records management**

- (1) There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to collect, index, store and maintain the records relating to the service.
- (2) The records must include:
  - (a) voice records made under regulation 139.860; and
  - (b) records of accidents or incidents made under regulation 139.865.
- (3) A record must be kept for 5 years (or a shorter period specified for the particular kind of record in the Manual) after the date to which it relates.

**139.880 Organisation**

The provider must, at all times, maintain an appropriate organisation with a sound and effective management structure, having regard to the nature of the service it provides.

**139.885 System for rectification of service failures**

There must be a system, in accordance with the standards or requirements in the Manual of Standards, to rectify any failure that results or may result in an interruption in the service or a reduction in the standard of the service.

### **139.890 Quality control**

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to ensure that the service complies with the requirements of this Subpart.

### **139.895 Change management**

There must be a system, in accordance with the Manual of Standards, to manage changes in:

- (a) equipment and procedures; and
- (b) what the service does; and
- (c) the level or kinds of service provided; and
- (d) the way the service is provided.

### **139.900 Safety management**

There must be a safety management system for the service, in accordance with the standards or requirements in the Manual of Standards, including the policies, procedures and practices necessary to provide the service safely.

### **139.905 Applicant's organisation**

- (1) The provider must tell CASA in writing:
  - (a) who its managers are; and
  - (b) its organisational structure; and
  - (c) how many staff of each class it uses to provide the service.
- (2) The provider must tell CASA in writing about any change in a matter mentioned in paragraph (1) (a), (b) or (c) within 14 days after the change.

### **139.910 Telling users and CASA about changes**

- (1) There must be a procedure, in accordance with the standards and requirements in the Manual of Standards, for an ARFFS provider to give, to aerodrome users, safety-related information about changes, faults or interruptions to the service.

**Regulation 139.915**

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- (2) The procedure must comply with CASA's requirements for reporting information to the Aeronautical Information and Data Service and the Australian NOTAM Office.
- (3) If the provider fails, for a period of 24 hours or longer, to provide the service at the standard required by Division 139.H.3, the ARFFS provider for the aerodrome must tell CASA in writing as soon as practicable:
  - (a) why the service is not being provided at that standard; and
  - (b) how long it is likely to be before the service can be resumed; and
  - (c) what action the service provider has taken and will take to resume the service at that standard.

**Division 139.H.4 Conduct of ARFFS operations**

**139.915 Powers of officer in charge or firefighter**

- (1) In this regulation:

*firefighter*, in relation to an ARFFS operation for an aerodrome, means:

  - (a) somebody employed as a firefighter by the ARFFS provider for the aerodrome; or
  - (b) a member of a fire brigade, or of a rescue or fire fighting service, who is taking part in the operation in accordance with an arrangement made with such a brigade or service.

*officer in charge*, in relation to an ARFFS operation for an aerodrome, means:

  - (a) the person appointed under regulation 139.773 as officer in charge of ARFFS operations at the aerodrome; or
  - (b) if, in accordance with an arrangement made with a fire brigade, or a rescue or fire fighting service, the person in control of the operation is a member of such a brigade or service — that person.

*volunteer*, in relation to an ARFFS operation, means somebody who has volunteered to help in the operation under the direction of the officer in charge.



**Regulation 139.915**

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- (2) For an ARFFS operation for an aerodrome under this Subpart, the officer in charge may:
  - (a) give directions that he or she thinks proper to firefighters and volunteers under his or her control; and
  - (b) take measures that he or she thinks proper.
- (3) Without limiting paragraph (2) (b), the officer in charge may do the following things for the purpose of the ARFFS operation:
  - (a) enter (by force, if necessary), take possession of and deal with in any appropriate way, premises, an aircraft or other property;
  - (b) close a road or other thoroughfare to traffic;
  - (c) use a convenient water supply (including shutting off water supply from a main or pipe to obtain greater pressure or supply);
  - (d) disconnect electricity supply to premises;
  - (e) remove flammable, explosive or other dangerous material from premises, an aircraft or other property;
  - (f) order a person to leave premises, an aircraft or other property;
  - (g) remove from the vicinity of the operation a person or thing the presence of whom or which is interfering, or is likely to interfere, significantly with the operation;
  - (h) take a fire engine or other fire appliance onto land or premises;
  - (i) shore up or destroy a wall or building that is insecure or may be dangerous to persons or property;
  - (j) direct or authorise a firefighter or a volunteer to do something that, under this regulation, the officer may do.
- (4) For an ARFFS operation, a firefighter may do something mentioned in paragraph (3) (a), (b), (c), (d), (e), (f) or (h) without authorisation under paragraph (3) (j) if there are reasonable grounds for believing that, for the operation:
  - (a) it is necessary or desirable to do the thing; and
  - (b) it is not practicable for him or her to get authorisation to do so.

**Regulation 139.920**

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- (5) A person is guilty of an offence punishable by a fine of 10 penalty units if he or she fails to comply with:
- (a) a direction of the officer in charge under paragraph (3) (f);  
or
  - (b) a direction of the kind mentioned in that paragraph, given by a firefighter or volunteer, if:
    - (i) the firefighter or volunteer has been authorised under paragraph (3) (j) by the officer in charge to give it; or
    - (ii) the conditions in paragraphs (4) (a) and (b) are satisfied in relation to the direction.

**Division 139.H.5 Administration**

**139.920 Definition for Division**

In this Division:

*show cause notice* means a notice under regulation 139.1015.

**139.925 How to apply for approval as ARFFS provider**

- (1A) An eligible person may apply to CASA for approval as an ARFFS provider.
- (1) A person is eligible to apply for approval as an ARFFS provider if:
- (a) the person is mentioned in column 2 of an item in table 139.925; and
  - (b) the application relates to an aerodrome mentioned in column 3 of that item.
- (2) The application must be in writing.
- (3) The application:
- (a) must set out the applicant's name and address; and
  - (b) if the applicant is a corporation (within the meaning given by the *Corporations Act 2001*) — must set out the applicant's registered address and ACN and the names and addresses of its officers.

**Regulation 139.925**

- (4) In paragraph (3) (b):  
*officer* has the meaning given by section 9 of the *Corporations Act 2001*.
- (5) The applicant must include with the application:
- (a) a copy of the applicant's operations manual, prepared as if the applicant were an approved provider; and
  - (b) information that will enable CASA to decide whether or not the applicant is of sound financial standing; and
  - (c) a statement of the intended location and category of the service to be provided.

*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

**Table 139.925**

| Item | Applicant  | Aerodrome  |
|------|--|--|
| 1    | the Commonwealth   | any aerodrome  |
| 2    | AA   | any aerodrome  |
| 2A   | Delta Fire Service Pty. Ltd.   | Townsville Airport   |
| 3    | Broome Airport Services Pty Ltd  | Broome International Airport                                     |
| 4    | Administration of Norfolk Island   | Norfolk Island International Airport                             |
| 5    | a person who is to provide an ARFFS at a particular aerodrome:   | the aerodrome mentioned in column 2                              |
|      | (a) in cooperation with AA, in accordance with paragraph 11 (3) (b) of the <i>Air Services Act 1995</i> ; or                             |  |
|      | (b) by arrangement with AA, in accordance with paragraph 11 (3) (c) of the <i>Air Services Act 1995</i>                                  |  |
| 6    | a person who is to provide an ARFFS in accordance with an arrangement mentioned in paragraph 216 (1) (e) of the <i>Airports Act 1996</i> | the aerodrome specified in the arrangement mentioned in column 2 |

**Regulation 139.965**

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**139.965 When CASA must grant approval**

- (1) Subject to regulation 11.055 and subregulation (3), if a person has applied for approval as an ARFFS provider under this Subpart, CASA must grant the approval.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
  - (b) a decision imposing a condition on an approval.
- (3) CASA may approve an application only if CASA approves the applicant's draft operations manual.
  - (4) CASA must not approve the draft operations manual unless the draft manual complies with the relevant requirements in the Manual of Standards.
  - (6) Without limiting regulations 11.056 and 11.067, if the application is made by a person mentioned in column 2 of item 1, 2, 5 or 6 of Table 139.925 in relation to an ARFFS at the corresponding aerodrome, CASA may impose any condition necessary to give effect to an arrangement mentioned in subsection 11 (3) of the *Air Services Act 1995*.

**139.970 When decision must be made**

- (1) If CASA does not make a decision about an application within 21 days after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation 11.035 or 11.040, the time between when CASA makes the request, and when the applicant's officer or officers participates or participate in the interview, or gives CASA the information or copy requested, does not count towards the period.
- (3) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050 (3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.

**Regulation 139.1005**

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- (4) Also, if CASA invites an applicant to make a written submission under subregulation 139.1050 (2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.

**139.995 Application for variation of approval**

- (1) An approved ARFFS provider may apply to vary its approval.  
(2) Regulations 139.965 and 139.970 apply to the application.

*Note* Part 11 also contains provisions relating to an application for variation of approval.

**139.1005 Suspension or continued suspension of approval by show cause notice**

- (1) CASA may state, in a show cause notice, that the approval as an approved ARFFS provider of the ARFFS provider concerned is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended:
- (a) if the approval is already suspended when the show cause notice is given to the holder — the approval continues to be suspended until CASA revokes the suspension, or the suspension lapses under subregulation (4); or
  - (b) the approval is suspended from when the notice is given to the approved ARFFS provider concerned.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

**Regulation 139.1010**

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**139.1010 Grounds for cancellation of approval**

It is grounds for the cancellation of the approval of an approved ARFFS provider if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) has otherwise been guilty of conduct that renders the holder's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

**139.1015 Notice to approved ARFFS provider to show cause**

- (1) CASA may give an approved ARFFS provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the approval.
- (2) A show cause notice must:
  - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
  - (b) invite the holder to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2) (b), the period must not be less than 7 days.

**139.1020 Cancellation of approval after show cause notice**

- (1) CASA may cancel an approval only if:
  - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
  - (b) CASA has given the holder a show cause notice in relation to the grounds for the proposed cancellation; and
  - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the holder; and
  - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.

**Regulation 139.1022**

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- (2) If CASA has given a show cause notice to an approved ARFFS provider, and it decides not to cancel the approval, it:
  - (a) must tell the provider in writing of the decision; and
  - (b) must, if the approval is suspended, revoke the suspension.

**139.1022 Cancellation if holder ceases to provide ARFFS**

- (1) CASA must cancel the approval of a person mentioned in column 2 of item 3 or 4 of Table 139.925 if the person ceases to be an ARFFS provider for the aerodrome mentioned in column 3 of the item.
- (2) CASA must cancel the approval of a person mentioned in column 2 of item 5 of Table 139.925 if the cooperation or arrangement mentioned in that item ceases.
- (3) CASA must cancel the approval of a person mentioned in column 2 of item 6 of Table 139.925 if the arrangement mentioned in that item ceases.

## **Part 141**                      **Flying training organisations**

*Note* This Part heading is reserved for future use.

## **Part 142**                      **Flight crew training and checking organisations**

*Note* This Part heading is reserved for future use.



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## Part 143                      Air Traffic Services Training Providers

**Note** *This Part is made up as follows:*

**Subpart 143.A General**

- 143.005      Applicability of this Part
- 143.010      Definitions for this Part
- 143.015      What is an ATS training provider
- 143.016      Person not to provide service without approval
- 143.017      Issue of Manual of Standards

**Subpart 143.B Approval as an ATS training provider**

- 143.020      What an application must be accompanied by
- 143.025      When applicant is eligible for approval
- 143.027      CASA may impose conditions on approvals
- 143.035      Approval not transferable
- 143.050      Variation of approvals

**Subpart 143.C Requirements to be complied with by ATS training providers**

**Division 143.C.1 Requirements for training**

- 143.055      Standard for training
- 143.060      Training plan

**Division 143.C.2 Personnel**

- 143.065      Personnel
- 143.070      Qualifications for certain personnel

**Division 143.C.3 Reference materials, documents and records**

- 143.075      Reference materials
- 143.080      Material to be included in reference materials
- 143.085      Documents and records
- 143.090      Document and record control system

**Subpart 143.D Telling CASA about changes**

- 143.095      Advice on organisational changes
- 143.100      Discontinuing training
- 143.105      Status as a Registered Training Organisation

**Subpart 143.E Miscellaneous**

- 143.110      Unapproved training

**Regulation 143.005**

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**Subpart 143.F Administration**

**Division 143.F.1 Preliminary**

143.115 Applicability of this Subpart

**Division 143.F.2 Approvals**

143.118 Applying for approval

143.120 Joint applications not permitted

143.130 Applications by corporations etc — what must be included

143.145 CASA may require demonstrations of procedures or equipment

143.175 Grant of approval

143.180 When decision must be made

**Division 143.F.4 Suspension and cancellation of approvals**

143.215 Definition for this Division

143.220 Suspension of approval by show cause notice

143.225 Grounds for cancellation of approval

143.230 Notice to show cause

143.235 Cancellation of approval after show cause notice

143.240 Cancellation at request of ATS training provider

143.245 Cancellation if cooperation or arrangement ceases

**Subpart 143.A General**

**143.005 Applicability of this Part**

- (1) This Part:
  - (a) applies to a person that wants to become, or is, an ATS training provider; and
  - (b) sets out certain administrative rules applying to CASA in its administration of this Part.
- (2) However, this Part does not apply to:
  - (a) a person who is providing ATS training in the course of his or her duties for the Defence Force; or
  - (b) any ATS training provided by the Defence Force.

**143.010 Definitions for this Part**

In this Part:

***Australian National Training Authority*** means the Australian National Training Authority established by the *Australian National Training Authority Act 1992*.

***Australian Qualifications Framework*** means the framework set out in a document called ‘Australian Qualifications Framework Implementation Handbook’ published by the Australian Qualifications Framework (AQF) Advisory Board in 1998.

***Australian Quality Training Framework*** means the quality arrangements for vocational education and training services set out in the document called ‘Australian Quality Training Framework – Standards for Registered Training Organisations’ published by the Australian National Training Authority in 2001.

***Manual of Standards – Part 65*** means the document called ‘Manual of Standards (MOS) – Part 65’ issued by CASA under regulation 65.033, as in force from time to time.

***Manual of Standards – Part 143*** means the document called ‘Manual of Standards (MOS) – Part 143’ issued by CASA under regulation 143.017, as in force from time to time.

***Registered Training Organisation*** has the same meaning as it has in the document called ‘Australian Quality Training Framework – Standards for Registered Training Organisations’, published by the Australian National Training Authority in 2001.

***training provider*** means a person who, or entity that, provides vocational education and training.

***training recognition authority***, in relation to a State or Territory, means a body that has, under a law of the State or Territory, the responsibility for registering training providers in that State or Territory.

**Regulation 143.015**

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**143.015 What is an ATS training provider**

An ATS training provider is a person approved, under Subpart 143.F, to provide the training relating to air traffic services that is covered by the approval.

**143.016 Person not to provide service without approval**

- (1) A person must not provide training relating to air traffic services unless the person:
  - (a) is approved, under Division 143.F.2, to provide the training; or
  - (b) is an ATS provider within the meaning in Part 172.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

**143.017 Issue of Manual of Standards**

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
  - (a) standards, including procedures, plans, systems and documentation, for the provision of air traffic services training;
  - (b) standards for facilities and equipment used to provide air traffic services training;
  - (c) standards, including competency standards and minimum qualifications, for instructors engaged in air traffic services training;
  - (d) any matter required or permitted by the regulations to be provided for by the Manual of Standards;
  - (e) any matter necessary or convenient to be provided for the effective operation of this Part.

*Note* A Manual of Standards is a legislative instrument— see subsections 98 (5A) and (5B) of the Act and subparagraph 6 (d) (i) of the *Legislative Instruments Act 2003*. It must be registered in accordance with the latter Act and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

**Regulation 143.025**

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- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275 (3) or regulation 11.280) to each ATS training provider.

*Note* Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

## **Subpart 143.B Approval as an ATS training provider**

### **143.020 What an application must be accompanied by**

An application for approval as an ATS training provider must be accompanied by:

- (a) a written statement setting out details of the training relating to air traffic services that the applicant proposes to provide; and
- (b) a written statement setting out details of the relevant qualifications and experience of the applicant and applicant's personnel, including the number of suitably qualified personnel who will be involved in providing the training; and
- (c) enough information to show that the applicant is a Registered Training Organisation whose registration:
  - (i) is in force; and
  - (ii) is for training delivery covering the training; and
- (d) a written statement describing the arrangements the applicant has made to comply with the requirements of Subparts 143.C and 143.D.

### **143.025 When applicant is eligible for approval**

For Subpart 143.F, an applicant is eligible to become an ATS training provider for particular training relating to air traffic services if the applicant:

- (aa) is any of the following:
  - (i) the Commonwealth;
  - (ii) AA;

**Regulation 143.027**

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- (iii) a person who is to provide air traffic services training services in cooperation with AA, in accordance with paragraph 11 (3) (b) of the *Air Services Act 1995*;
- (iv) a person who is to provide air traffic services training services by arrangement with AA, in accordance with paragraph 11 (3) (c) of the *Air Services Act 1995*; and
- (a) is a Registered Training Organisation whose registration:
  - (i) is in force; and
  - (ii) is for training delivery covering that training; and
- (b) is able to comply with the requirements of Subparts 143.C and 143.D or will be able to do so if the applicant is approved.

**143.027 CASA may impose conditions on approvals**

Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11 (3) of the *Air Services Act 1995*.

**143.035 Approval not transferable**

An approval is not transferable.

**143.050 Variation of approvals**

- (1) If an ATS training provider wants to vary its approval, it must apply to CASA, under Subpart 143.F, for that purpose.
- (2) The application must contain, or have with it, a copy of the proposed variation.

## **Subpart 143.C Requirements to be complied with by ATS training providers**

### **Division 143.C.1 Requirements for training**

#### **143.055 Standard for training**

An ATS training provider must ensure that the training relating to air traffic services that it provides:

- (a) is of at least the standard required by the Manual of Standards – Part 65; and
- (b) complies with the Australian Qualifications Framework.

#### **143.060 Training plan**

An ATS training provider must have, and put into effect, a training plan for the training relating to air traffic services covered by its approval that is in accordance with the standards and requirements set out in the Manual of Standards – Part 65.

### **Division 143.C.2 Personnel**

#### **143.065 Personnel**

An ATS training provider must have, at all times, enough suitably qualified personnel to enable it to provide, in accordance with both the Australian Quality Training Framework and the standards and requirements set out in the Manual of Standards – Part 65, the training relating to air traffic services that is covered by its approval.

#### **143.070 Qualifications for certain personnel**

An ATS training provider must not give to a person responsibility as an instructor or assessor for any training relating to air traffic services that it provides unless the person:

- (a) has suitable qualifications and experience in accordance with the Australian Quality Training Framework; and

**Regulation 143.075**

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- (b) satisfies the requirements of the Manual of Standards – Part 65 for persons having that responsibility.

**Division 143.C.3 Reference materials, documents and records**

**143.075 Reference materials**

- (1) An ATS training provider must maintain a set of the reference materials mentioned in regulation 143.080 for use by members of its personnel who have responsibilities as instructors or assessors for any training relating to air traffic services that it provides.
- (2) The provider must maintain another set of the reference materials for use by anyone undertaking training relating to air traffic services that it provides.
- (3) The provider must keep the reference materials up to date and in a readily accessible form.
- (4) The instructors and assessors and anyone undertaking training must have ready access to the reference materials.

**143.080 Material to be included in reference materials**

For regulation 143.075, the reference materials to be maintained by the provider must include the following:

- (a) copies of the Act and these Regulations;
- (b) copies of Annexes 1, 6, 11 and 12 to the Chicago Convention;
- (c) a copy of the AIP;
- (d) copies of the Manual of Standards – Part 65 and the Manual of Standards – Part 143;
- (e) all manuals and documents specified in the Manual of Standards – Part 65 and Manual of Standards – Part 143.

**143.085 Documents and records**

- (1) The provider must keep documents and records of the kinds specified in the Manual of Standards – Part 143.



**Regulation 143.100**

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- (2) A document or record must be retained for as long as the Manual specifies for the particular kind of document or record.
- (3) The provider must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

**143.090 Document and record control system**

- (1) The provider must establish, and put into effect, a system, in accordance with the standards set out in the Manual of Standards – Part 143, for controlling the documents and records required to be kept under regulation 143.085.
- (2) The system must include the policies and procedures for making, amending and preserving those documents and records.

**Subpart 143.D Telling CASA about changes**

**143.095 Advice on organisational changes**

The provider must tell CASA, in writing, of a change of circumstances that materially affects its capacity to provide any training relating to air traffic services that is covered by its approval within 7 days after the change occurs.

**143.100 Discontinuing training**

- (1) The provider must not discontinue any training relating to air traffic services that is covered by its approval, unless it has given CASA at least 28 days written notice that the training is to be discontinued.
- (2) Subregulation (1) does not apply if, having regard to the provider's circumstances:
  - (a) it was not reasonably practicable for the provider to give to CASA at least 28 days notice; and
  - (b) the provider gives the notice as soon as reasonably practicable before, on or after the day when the service is discontinued.

**Regulation 143.105**

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**143.105 Status as a Registered Training Organisation**

If an ATS training provider, for any reason at any time after its approval as an ATS training provider, loses its status as a Registered Training Organisation, it must, within 7 days, tell CASA in writing accordingly.

**Subpart 143.E Miscellaneous**

**143.110 Unapproved training**

An ATS training provider must not provide any training relating to air traffic services unless:

- (a) its approval:
  - (i) is in force; and
  - (ii) covers that training; and
- (b) it is a Registered Training Organisation whose registration:
  - (i) is in force; and
  - (ii) is for training delivery covering that training.

**Subpart 143.F Administration**

*Note* In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as an ATS training provider.

**Division 143.F.1 Preliminary**

**143.115 Applicability of this Subpart**

This Subpart:

- (a) sets out certain administrative rules applying to CASA in its administration of this Part; and
- (b) includes certain generic provisions applying to anyone who wants to become, or is, an ATS training provider.

## **Division 143.F.2 Approvals**

### **143.118 Applying for approval**

Subject to regulation 143.120, a person may apply to CASA, in writing, for approval as an ATS training provider.

*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

### **143.120 Joint applications not permitted**

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.
- (2) An application purportedly made by a partnership is not a valid application for any purpose.

### **143.130 Applications by corporations etc — what must be included**

- (1) An application from a person other than an individual must set out:
  - (a) the applicant's registered address and ACN; and
  - (b) the names and addresses of its officers.
- (2) In paragraph (1) (b):  
*officer* has the meaning given by section 9 of the *Corporations Act 2001*.

### **143.145 CASA may require demonstrations of procedures or equipment**

Regulation 11.045 applies in relation to an approval as an ATS training provider.

**Regulation 143.175**

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**143.175 Grant of approval**

Subject to regulation 11.055, if an applicant has applied for approval as an ATS training provider under this Part, CASA must grant the approval.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

**143.180 When decision must be made**

- (1) If CASA does not make a decision about an application within the period mentioned in subregulation (2) after receiving it, CASA is taken to have refused the application.
- (2) The period is 6 months.
- (3) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (4) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050 (3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (5) Also, if CASA invites an applicant to make a written submission under subregulation 11.050 (2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (6) In this regulation:  
*application* includes an application to vary an approval under this Division.

## **Division 143.F.4      Suspension and cancellation of approvals**

### **143.215 Definition for this Division**

In this Division:

*show cause notice* means a notice under regulation 143.230.

### **143.220 Suspension of approval by show cause notice**

- (1) CASA may state, in a show cause notice, that an ATS training provider's approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.4 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended, the approval is suspended from when the notice is given to the provider.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval under regulation 143.235, within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

### **143.225 Grounds for cancellation of approval**

It is grounds for the cancellation of an ATS training provider's approval if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting the approval; or
- (d) has otherwise been guilty of conduct that renders the provider's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

**Regulation 143.230**

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**143.230 Notice to show cause**

- (1) CASA may give an ATS training provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the provider's approval.
- (2) A show cause notice must:
  - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
  - (b) invite the provider to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2) (b), the period must not be less than 7 days.

**143.235 Cancellation of approval after show cause notice**

- (1) Subject to regulation 143.245, CASA may cancel an ATS training provider's approval only if:
  - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
  - (b) CASA has given the provider a show cause notice in relation to the grounds for the proposed cancellation; and
  - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the provider; and
  - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an ATS training provider, and it decides not to cancel the provider's approval, it:
  - (a) must tell the provider, in writing, of the decision; and
  - (b) must, if the approval is suspended, revoke the suspension.

**143.245 Cancellation if cooperation or arrangement ceases**

- (1) CASA must cancel the approval of a person mentioned in subparagraph 143.025 (aa) (iii) if the cooperation mentioned in that subparagraph ceases.

**Regulation 143.245**

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- (2) CASA must cancel the approval of a person mentioned in subparagraph 143.025 (aa) (iv) if the arrangement mentioned in that subparagraph ceases.

**Part 144                      Distribution organisations**

*Note* This Part heading is reserved for future use.

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## Part 145                      Continuing airworthiness — Part 145 approved maintenance organisations

**Note** *This Part is made up as follows:*

**Subpart 145.A    General**

- 145.005    Purpose of Part
- 145.010    Definitions for Part
- 145.015    Part 145 Manual of Standards
- 145.020    Regulations 11.070 to 11.075 do not apply in relation to certain matters

**Subpart 145.B    Approval of Part 145 organisations**

- 145.025    Applying for approval
- 145.030    Issuing approval
- 145.035    Approval certificate
- 145.040    Privileges for Part 145 organisations
- 145.045    Approval subject to conditions

**Subpart 145.C    Changes to Part 145 organisations**

- 145.050    Application for approval of significant changes to organisations
- 145.055    Approval of significant changes
- 145.060    Changes to Part 145 organisations that are not significant changes
- 145.065    CASA may direct Part 145 organisations to change exposition

**Subpart 145.D    Requirements and offences for Part 145 organisations**

- 145.070    Provision of maintenance services
- 145.075    Provision of permitted training
- 145.080    Providing employees with exposition
- 145.085    Complying with directions



## **Subpart 145.A General**

### **145.005 Purpose of Part**

This Part:

- (a) sets out matters relating to Part 145 organisations, including:
  - (i) requirements for approval as a Part 145 organisation; and
  - (ii) requirements that apply to Part 145 organisations; and
- (b) empowers CASA to issue a Manual of Standards for this Part.

### **145.010 Definitions for Part**

(1) In this Part:

*accountable manager*, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for:

- (a) ensuring that the organisation complies with its exposition, each approval rating that it holds, and these Regulations; and
- (b) ensuring that the organisation is able to finance the provision of the maintenance services set out in its exposition; and
- (c) ensuring that the organisation has adequate resources available to enable it to provide maintenance services in accordance with its exposition; and
- (d) establishing and promoting policies for safety management and quality systems in accordance with the requirements of this Part and Part 42.

*approval certificate* means a certificate issued under regulation 145.035.

*approval rating* means a rating for a kind of aircraft, aeronautical product or specialist maintenance specified in the Part 145 Manual of Standards.

**Regulation 145.010**

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**exposition**, for a Part 145 organisation, means the document that is approved by CASA under regulation 145.030 in relation to the organisation, including:

- (a) if a change to the document is approved by CASA under regulation 145.055 — that change; and
- (b) if the document is updated and the organisation gives CASA a copy of the updated part of the document under regulation 145.060 — the updated part of the document; and
- (c) if the organisation makes a change to the document in accordance with a direction given by CASA under regulation 145.065 — that change.

**quality manager**, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for the quality management system described in the Part 145 Manual of Standards for the organisation.

**responsible manager**, for a Part 145 organisation, means an individual appointed by the organisation to be responsible to the accountable manager for ensuring that the organisation complies with its exposition and these Regulations in relation to a particular matter.

**safety manager**, for a Part 145 organisation, means the individual, appointed by the organisation, who is responsible for the safety management system described in the Part 145 Manual of Standards for the organisation.

**significant change**, in relation to a Part 145 organisation, has the meaning given by subregulation (2).

*Note* See the Dictionary for definitions of other terms used in this Part.

- (2) A **significant change**, in relation to a Part 145 organisation, means any of the following changes:
  - (a) a change to the organisation's name;
  - (b) a change to the location of the organisation's maintenance facility, including the addition of a new maintenance facility;
  - (c) a change in the personnel holding:
    - (i) the position of accountable manager in the organisation; or

**Regulation 145.015**

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- (ii) the position of quality manager in the organisation;  
or
- (iii) any of the positions of responsible manager in the  
organisation; or
- (iv) the position of safety manager in the organisation;
- (d) a change to the maintenance services provided by the  
organisation, if the change would require a change to the  
approval ratings mentioned in the organisation's approval  
certificate;
- (e) a change to the permitted training that it is approved to  
provide;
- (f) a change to the organisation's facilities, equipment, tools,  
materials, procedures or certifying employees that could  
adversely affect the organisation's ability to provide  
maintenance services that it is approved to provide.

**145.015 Part 145 Manual of Standards**

- (1) For subsection 98 (5A) of the Act, CASA may issue a Manual  
of Standards for this Part that specifies matters affecting the  
maintenance or airworthiness of aircraft.
- (2) In particular, a Manual of Standards may specify the following  
matters:
  - (a) maintenance that is specialist maintenance for a Part 145  
organisation;
  - (b) ratings for kinds of aircraft, aeronautical products and  
specialist maintenance;
  - (c) requirements for a Part 145 organisation's exposition;
  - (d) the privileges that apply to an approval rating;
  - (e) requirements for a Part 145 organisation, including  
requirements in relation to the following:
    - (i) facilities;
    - (ii) managers;
    - (iii) certifying employees;
    - (iv) employee qualifications;
    - (v) the grant of certification authorisations;
    - (vi) training;

**Regulation 145.020**

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- (vii) equipment, tools and materials;
- (viii) aeronautical products;
- (ix) maintenance data;
- (x) writing procedures for carrying out maintenance;
- (xi) production planning;
- (xii) the issue of certificates of release to service;
- (xiii) in-house maintenance and in-house release documents;
- (xiv) the fabrication of parts in the course of carrying out maintenance;
- (xv) records;
- (xvi) defect reporting;
- (xvii) a quality management system, including auditing;
- (xviii) a safety management system;
- (xix) a procedure for making changes to the organisation that are not significant changes;
- (f) requirements for providing permitted training;
- (g) requirements for a Part 145 organisation in relation to arranging for the manufacturer of an aircraft or aircraft engine that forms part of a permitted aircraft type to provide training and assessment for the permitted aircraft type to the organisation's employees.

**145.020 Regulations 11.070 to 11.075 do not apply in relation to certain matters**

Regulations 11.070 to 11.075 do not apply to:

- (a) a significant change to a Part 145 organisation that is approved by CASA under regulation 145.055; or
- (b) a change to a Part 145 organisation of which CASA is notified under regulation 145.060; or
- (c) a change to a Part 145 organisation that is made as a consequence of a change made to the organisation's exposition in accordance with a direction given by CASA under regulation 145.065.

## **Subpart 145.B      Approval of Part 145 organisations**

### **145.025      Applying for approval**

- (1) A person (the *applicant*) may apply to CASA for approval as a Part 145 organisation.
- (2) The application must:
  - (a) be in writing; and
  - (b) be signed by a person who is, or proposes to be, the applicant's accountable manager.
- (3) The application must include the following:
  - (a) a copy of the applicant's proposed exposition;
  - (b) the approval rating sought by the applicant for:
    - (i) each kind of aircraft or aeronautical product for which the applicant proposes to provide maintenance services; and
    - (ii) each kind of specialist maintenance that the applicant proposes to provide;
  - (c) if the applicant intends to provide permitted training for its employees — each aircraft type, aircraft system or subset of an aircraft system for which the applicant intends to provide training.

*Note 1* An application must be in the approved form, include all the information required by these Regulations, and be accompanied by every document required by these Regulations — see regulation 11.030.

*Note 2* Part 11 deals with applications and decision making.

### **145.030      Issuing approval**

- (1) Subject to regulation 11.055, CASA must approve an applicant as a Part 145 organisation if CASA is satisfied that:
  - (a) the applicant has an exposition that complies with the requirements specified in the Part 145 Manual of Standards; and

**Regulation 145.030**

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- (b) the applicant has facilities, equipment, materials, maintenance data and tools that are suitable for:
  - (i) providing maintenance services for the kinds of aircraft or aeronautical product for which the applicant proposes to provide maintenance services; and
  - (ii) providing the specialist maintenance that the applicant proposes to provide; and
  - (iii) providing the permitted training that the applicant proposes to provide for its employees; and
- (c) the facilities, equipment, materials, maintenance data and tools mentioned in paragraph (b) comply with the requirements specified in the Part 145 Manual of Standards; and
- (d) the applicant has nominated an individual for each of the following positions in the organisation:
  - (i) accountable manager;
  - (ii) quality manager;
  - (iii) safety manager; and
- (e) the applicant has nominated an individual for each position of responsible manager in the organisation; and
- (f) each individual nominated for a position mentioned in paragraph (d) or (e) is appropriately qualified to hold the position; and
- (g) the audit requirements of the applicant's quality management system will be carried out by a person who is not:
  - (i) the accountable manager; or
  - (ii) a responsible manager.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

**Regulation 145.040**

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- (2) If CASA decides to approve an applicant as a Part 145 organisation, CASA must determine:
  - (a) the approval rating for each kind of aircraft or aeronautical product for which the applicant is approved to provide maintenance services; and
  - (b) the approval rating for each kind of specialist maintenance that the applicant is approved to provide; and
  - (c) any limitations applying to an approval rating mentioned in paragraph (a) or (b); and
  - (d) the permitted training that the applicant is approved to provide for its employees.
- (3) In approving the applicant, CASA also approves the applicant's proposed exposition.

**145.035 Approval certificate**

- (1) If CASA approves an applicant as a Part 145 organisation, CASA must issue a certificate setting out the matters mentioned in paragraphs 145.030 (2) (a) to (c).
- (2) The certificate issued by CASA must include an approval certificate reference number determined by CASA.
- (3) If CASA approves a significant change to a Part 145 organisation under regulation 145.055, CASA may issue a new approval certificate to the organisation.

**145.040 Privileges for Part 145 organisations**

- (1) A Part 145 organisation may provide:
  - (a) maintenance services that it is approved to provide; and
  - (b) permitted training that it is approved to provide for its employees.
- (2) A Part 145 organisation may arrange for training and assessment for a permitted aircraft type to be provided by the manufacturer of the aircraft or the aircraft engine.

**Regulation 145.045**

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**145.045 Approval subject to conditions**

It is a condition of approval of a Part 145 organisation that:

- (a) the organisation must, at all times, comply with the requirements of:
  - (i) its exposition; and
  - (ii) the approval rating for each kind of aircraft or aeronautical product for which the organisation is approved to provide maintenance services; and
  - (iii) the approval rating for each kind of specialist maintenance that the organisation is approved to provide; and
  - (iv) any limitations applying to an approval rating mentioned in subparagraph (ii) or (iii); and
  - (v) the Part 145 Manual of Standards; and
  - (vi) Part 42 and this Part; and
- (b) the organisation must ensure that, at all times, its employees comply with the requirements mentioned in paragraph (a).

*Note 1* The approval is also subject to the conditions set out in Part 11.

*Note 2* Subpart 11.G empowers CASA to issue directions.

**Subpart 145.C Changes to Part 145 organisations**

**145.050 Application for approval of significant changes to organisations**

- (1) If a Part 145 organisation proposes to make a significant change, the organisation must apply to CASA for approval of the change.
- (2) The application must:
  - (a) be in writing; and
  - (b) set out the proposed change; and
  - (c) include a copy of the part of the exposition consequentially affected by the change, showing the proposed change.



**Regulation 145.060**

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- (3) Subject to subregulation (4), the application must be made before the change is made.
- (4) If:
  - (a) the change is of the kind mentioned in paragraph 145.010 (2) (c); and
  - (b) the organisation does not apply, in accordance with subregulation (2), before making the change;  
the organisation must apply in accordance with subregulation (2) within 7 days after making the change.

*Note 1* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

*Note 2* Part 11 deals with applications and decision making.

*Note 3* Making a significant change without applying for approval in accordance with this regulation will be a breach of condition of an approval — see regulation 145.045.

**145.055 Approval of significant changes**

- (1) Subject to regulation 11.055, CASA must approve a significant change to a Part 145 organisation if CASA is satisfied that, after making the change, the requirements mentioned in subregulation 145.030 (1) will continue to be met.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

  - (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
  - (b) a decision imposing a condition on an approval.
- (2) In approving the significant change, CASA also approves the consequential changes to the applicant's exposition.

**145.060 Changes to Part 145 organisations that are not significant changes**

- (1) A change that is not a significant change to a Part 145 organisation must be made in accordance with the procedure set out in the organisation's exposition for making changes to the organisation that are not significant changes.

**Regulation 145.065**

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- (2) If such a change is made, the organisation must, within 28 days after making the change:
  - (a) update its exposition; and
  - (b) give CASA written notice of the change and a copy of the updated part of the exposition.

**145.065 CASA may direct Part 145 organisations to change exposition**

- (1) CASA may direct a Part 145 organisation to change its exposition:
  - (a) to remove particular information from the exposition; or
  - (b) to include particular information in the exposition; or
  - (c) to revise or vary the information in the exposition.
- (2) CASA may give a direction under this regulation only if CASA is satisfied that it is necessary to do so to ensure that the exposition complies with the requirements specified in the Part 145 Manual of Standards.
- (3) A direction under this regulation must:
  - (a) be in writing; and
  - (b) specify the time within which the direction must be complied with.

*Note* The Part 145 organisation must comply with the direction — see regulation 145.085.

**Subpart 145.D Requirements and offences for Part 145 organisations**

**145.070 Provision of maintenance services**

- (1) If a Part 145 organisation provides maintenance services, it must provide the services only in accordance with:
  - (a) its exposition; and
  - (b) the approval rating for each kind of aircraft or aeronautical product for which the organisation is approved to provide maintenance services; and

**Regulation 145.080**

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- (c) the approval rating for each kind of specialist maintenance that the organisation is approved to provide; and
- (d) any limitations applying to an approval rating mentioned in paragraph (b) or (c); and
- (e) the privileges that apply to the approval rating under the Part 145 Manual of Standards.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**145.075 Provision of permitted training**

- (1) If a Part 145 organisation provides permitted training for its employees, it must:
  - (a) provide only the permitted training that it is approved to provide; and
  - (b) provide the permitted training only in accordance with its exposition.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**145.080 Providing employees with exposition**

- (1) If a Part 145 organisation's exposition relates to the duties of an employee of the organisation, the organisation must make the part of the organisation's exposition that relates to those duties available to the employee before the employee begins carrying out the duties.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**Regulation 145.085**

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**145.085 Complying with directions**

- (1) If CASA gives a direction to a Part 145 organisation under regulation 145.065, the organisation must comply with the direction within the time mentioned in the direction.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

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## Part 147                      Continuing airworthiness —    maintenance training    organisations

**Note** *This Part is made up as follows:*

**Subpart 147.A    General**

- 147.005    Purpose of Part
- 147.010    Definitions for Part
- 147.015    Part 147 Manual of Standards
- 147.020    Regulations 11.070 to 11.075 do not apply in relation to certain matters

**Subpart 147.B    Approval of maintenance training organisations**

- 147.025    Applying for approval
- 147.030    Issuing approval
- 147.035    Approval certificate
- 147.040    Privileges for maintenance training organisations
- 147.045    Approval subject to conditions

**Subpart 147.C    Changes to maintenance training organisations**

- 147.050    Application for approval of significant changes to organisations
- 147.055    Decision on application for approval of significant changes
- 147.060    Changes to maintenance training organisations that are not significant changes
- 147.065    CASA may direct maintenance training organisations to change exposition

**Subpart 147.D    Requirements and offences for maintenance training organisations**

- 147.070    Provision of maintenance training and assessment
- 147.075    Assessment of foreign licences
- 147.080    Providing employees with exposition
- 147.085    Complying with directions

**Regulation 147.005**

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**Subpart 147.A      General**

**147.005      Purpose of Part**

This Part:

- (a) sets out matters relating to maintenance training organisations, including:
  - (i) requirements for approval as a maintenance training organisation; and
  - (ii) requirements that apply to maintenance training organisations; and
- (b) empowers CASA to issue a Manual of Standards for this Part.

**147.010      Definitions for Part**

(1) In this Part:

***accountable manager***, for a maintenance training organisation, means the individual, appointed by the organisation, who is responsible for ensuring that the organisation:

- (a) complies with its exposition and these Regulations; and
- (b) is able to finance the provision of the kinds of maintenance training set out in its exposition; and
- (c) has adequate resources available to enable it to provide maintenance training in accordance with its exposition.

***aircraft type*** has the meaning given by subregulation 66.010 (1).

***approval certificate*** means a certificate issued under regulation 147.035.

***assessment*** means an assessment of units of competency for category training, or elements for aircraft type training, by any or all of the following means:

- (a) examination of theory by means of written questions or oral questions or both;
- (b) practical testing of the skills acquired in practical training;
- (c) consideration of evidence for recognition of prior learning.

**Regulation 147.010**

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*Examples of evidence that may be assessed for recognition of prior learning*

- 1 Responses to interview questions.
- 2 Formal qualifications and other documents evidencing an area of competence.
- 3 Third party verification.
- 4 Workplace observation.
- 5 Sample examination results or sample practical test results.

***course plan***, for a maintenance training organisation and a maintenance training course, means the plan for the maintenance training course set out in the organisation's exposition.

***exposition***, for a maintenance training organisation, means the document that is approved by CASA under regulation 147.030 in relation to the organisation, including:

- (a) if a change to the document is approved under regulation 147.055 — that change; and
- (b) if the document is updated and the organisation gives CASA a copy of the updated part of the document under subregulation 147.060 — the updated part of the document; and
- (c) if the organisation makes a change to the document in accordance with a direction given by CASA under regulation 147.065 — that change.

***feedback system***, for a quality management system, has the meaning given by the Part 147 Manual of Standards.

***practical training*** means training that allows a student who has undertaken training in theory to practise applying the theory.

***quality management system***, for a maintenance training organisation, means the quality management system described in the Part 147 Manual of Standards.

***recognition of prior learning*** means full or partial credit given in a unit of competency for category training, or in an element for aircraft type training, for prior work experience, training or qualifications attained in Australia or a foreign country.

***registered training organisation*** means an organisation that is registered in accordance with the Australian Quality Training Framework to provide vocational training and assessment services and award qualifications.

**Regulation 147.010**

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**responsible manager**, for a maintenance training organisation, means an individual appointed by the organisation to be responsible to the accountable manager for ensuring that the organisation complies with its exposition and these Regulations in relation to a particular matter.

**significant change**, in relation to a maintenance training organisation, has the meaning given by subregulation (2).

**theory** means a theoretical element of aircraft type training or category training.

*Note* See the Dictionary for definitions of other terms used in this Part.

- (2) A **significant change**, in relation to a maintenance training organisation, means any of the following changes:
- (a) a change to the organisation's name;
  - (b) a change to the location of the organisation's maintenance training facility, including the addition of a new maintenance training facility;
  - (c) a change in the personnel holding:
    - (i) the position of accountable manager in the organisation; or
    - (ii) any of the positions of responsible manager in the organisation;
  - (d) a change to a course or a course plan provided by the organisation, other than a change resulting from a change to Appendix I, II, III or IV to the Part 66 Manual of Standards;
  - (e) a change to the organisation's quality management system, other than a change involving the taking of any necessary corrective action under the feedback system;
  - (f) a change to the organisation's facilities, personnel, record management system, instructional equipment, maintenance training material or procedures that could adversely affect the organisation's ability to provide the maintenance training that it is approved to provide.



**Regulation 147.020**

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**147.015 Part 147 Manual of Standards**

- (1) For subsection 98 (5A) of the Act, CASA may issue a Manual of Standards for this Part that specifies matters affecting the maintenance or airworthiness of aircraft.
- (2) In particular, a Manual of Standards may specify the following matters:
  - (a) the category training a maintenance training organisation may be approved to provide;
  - (b) the aircraft type training a maintenance training organisation may be approved to provide;
  - (c) the kinds of assessment a maintenance training organisation may be approved to carry out;
  - (d) requirements for a maintenance training organisation's exposition;
  - (e) requirements for a maintenance training organisation, including requirements in relation to the following:
    - (i) facilities;
    - (ii) employees, including employee qualifications;
    - (iii) records of instructors and assessors;
    - (iv) course plans;
    - (v) conduct of assessments;
    - (vi) instructional equipment;
    - (vii) maintenance training material;
    - (viii) records;
    - (ix) training procedures and the quality management system, including auditing;
    - (x) assessments;
    - (xi) a procedure for making changes to the organisation that are not significant changes.

**147.020 Regulations 11.070 to 11.075 do not apply in relation to certain matters**

Regulations 11.070 to 11.075 do not apply to:

- (a) a significant change to a maintenance training organisation that is approved by CASA under regulation 147.055; or

**Regulation 147.025**

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- (b) a change to a maintenance training organisation of which CASA is notified under regulation 147.060; or
- (c) a change to a maintenance training organisation that is made as a consequence of a change made to the organisation's exposition in accordance with a direction given by CASA under regulation 147.065.

## **Subpart 147.B Approval of maintenance training organisations**

### **147.025 Applying for approval**

- (1) A person (the *applicant*) may apply to CASA for approval as a maintenance training organisation.
- (2) Only a person who is a registered training organisation may apply for approval as a maintenance training organisation to provide category training or carry out assessment of units of competency.
- (3) The application must:
  - (a) be in writing; and
  - (b) be signed by a person who is, or proposes to be, the applicant's accountable manager.
- (4) The application must include the following:
  - (a) a copy of the applicant's proposed exposition;
  - (b) if the applicant is seeking approval to provide category training — the categories of aircraft engineer licence for which the applicant proposes to provide training;
  - (c) if the applicant is seeking approval to provide aircraft type training — the ratings for which the applicant proposes to provide training;
  - (d) the kinds of assessment that the applicant proposes to carry out;
  - (e) whether the applicant is seeking approval to recognise prior learning for assessment purposes.

*Note 1* An application must be in the approved form, include all the information required by these Regulations, and be accompanied by every document required by these Regulations — see regulation 11.030.

**Regulation 147.030**

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*Note 2* Part 11 deals with applications and decision making.

**147.030 Issuing approval**

- (1) Subject to regulation 11.055, CASA must approve an applicant as a maintenance training organisation if CASA is satisfied that:
- (a) the applicant has an exposition that complies with the requirements specified in the Part 147 Manual of Standards; and
  - (b) the applicant has facilities, personnel, a record management system, instructional equipment, maintenance training material and a quality management system that comply with the Part 147 Manual of Standards; and
  - (c) the applicant has nominated an individual for the position of accountable manager in the organisation; and
  - (d) the applicant has nominated an individual for each position of responsible manager in the organisation; and
  - (e) each individual nominated for a position mentioned in paragraph (c) or (d) is appropriately qualified to hold the position.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
  - (b) a decision imposing a condition on an approval.
- (2) If CASA decides to approve an applicant as a maintenance training organisation, CASA must determine:
- (a) whether the organisation is approved to provide:
    - (i) category training; or
    - (ii) aircraft type training; or
    - (iii) both category training and aircraft type training; and
  - (b) if the organisation is approved to provide category training — the categories of aircraft engineer licence for which the applicant is approved to provide training; and

**Regulation 147.035**

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- (c) if the organisation is approved to provide aircraft type training — the ratings for which the applicant is approved to provide training; and
  - (d) the kinds of assessment that the organisation is approved to carry out; and
  - (e) whether the organisation may recognise prior learning for assessment purposes.
- (3) Subject to regulation 11.055, CASA must approve an applicant to provide category training if:
- (a) CASA has approved the applicant as a maintenance training organisation; and
  - (b) CASA is satisfied that the applicant meets the criteria set out in Appendices I, II and IV to the Part 66 Manual of Standards.
- (4) Subject to regulation 11.055, CASA must approve an applicant to provide aircraft type training if:
- (a) CASA has approved the applicant as a maintenance training organisation; and
  - (b) CASA is satisfied that the applicant meets the criteria set out in Appendix III to the Part 66 Manual of Standards.
- (5) In approving the applicant, CASA also approves the applicant's proposed exposition.

**147.035 Approval certificate**

- (1) If CASA approves an applicant as a maintenance training organisation, CASA must issue a certificate setting out the matters mentioned in subregulation 147.030 (2).
- (2) The certificate issued by CASA must include an approval certificate reference number determined by CASA.
- (3) If CASA approves a significant change to a maintenance training organisation under regulation 147.055, CASA may issue a new approval certificate to the organisation.

**Regulation 147.050**

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**147.040 Privileges for maintenance training organisations**

A maintenance training organisation may:

- (a) provide maintenance training that it is approved to provide; and
- (b) carry out assessments that it is approved to carry out; and
- (c) if the organisation is approved to recognise prior learning for assessment purposes — carry out assessments based on recognition of prior learning; and
- (d) issue certificates, in the approved form, to students who have successfully completed that training and assessment.

**147.045 Approval subject to conditions**

It is a condition of approval of a maintenance training organisation that:

- (a) the organisation must, at all times, comply with the requirements of:
  - (i) its approval as a maintenance training organisation; and
  - (ii) its exposition; and
  - (iii) the Part 147 Manual of Standards; and
  - (iv) this Part; and
- (b) the organisation must ensure that, at all times, its employees comply with the requirements mentioned in paragraph (a).

*Note 1* The approval is also subject to the conditions set out in Part 11.

*Note 2* Subpart 11.G empowers CASA to issue directions.

**Subpart 147.C Changes to maintenance training organisations**

**147.050 Application for approval of significant changes to organisations**

- (1) If a maintenance training organisation proposes to make a significant change, the organisation must apply to CASA for approval of the change.

**Regulation 147.055**

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- (2) The application must:
  - (a) be in writing; and
  - (b) set out the proposed change; and
  - (c) include a copy of the part of the exposition consequentially affected by the proposed change, showing the proposed change.
- (3) Subject to subregulation (4), the application must be made before the change is made.
- (4) If:
  - (a) the change is:
    - (i) a change of the kind mentioned in paragraph 147.010 (2) (c); or
    - (ii) a change of the kind mentioned in paragraph 147.010 (2) (f) in relation to the personnel of the organisation; and
  - (b) the organisation does not apply, in accordance with subregulation (2), before making the change;  
the organisation must apply in accordance with subregulation (2) within 7 days after making the change.

*Note 1* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

*Note 2* Part 11 deals with applications and decision making.

*Note 3* Making a significant change without applying for approval in accordance with this regulation will be a breach of condition of an approval — see regulation 147.045.

**147.055 Decision on application for approval of significant changes**

- (1) Subject to regulation 11.055, CASA must approve a significant change to a maintenance training organisation if CASA is satisfied that, after making the change, the requirements mentioned in subregulation 147.030 (1) will continue to be met.

**Regulation 147.065**

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*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
  - (b) a decision imposing a condition on an approval.
- (2) In approving the significant change, CASA also approves the consequential changes to the applicant's exposition.

**147.060 Changes to maintenance training organisations that are not significant changes**

- (1) A change that is not a significant change to a maintenance training organisation must be made in accordance with the amendment procedure set out in the organisation's exposition.
- (2) If such a change is made, the organisation must, within 28 days after making the change:
  - (a) update its exposition; and
  - (b) give CASA written notice of the change and a copy of the updated part of the exposition.

**147.065 CASA may direct maintenance training organisations to change exposition**

- (1) CASA may direct a maintenance training organisation to change its exposition:
  - (a) to remove particular information from the exposition; or
  - (b) to include particular information in the exposition; or
  - (c) to revise or vary the information in the exposition.
- (2) CASA may give a direction under this regulation only if CASA is satisfied that it is necessary to do so to ensure that the exposition complies with the requirements specified in the Part 147 Manual of Standards.
- (3) A direction under this regulation must:
  - (a) be in writing; and

**Regulation 147.070**

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- (b) specify the time within which the direction must be complied with.

*Note* The maintenance training organisation must comply with the direction — see regulation 147.085.

**Subpart 147.D Requirements and offences for maintenance training organisations**

**147.070 Provision of maintenance training and assessment**

- (1) If a maintenance training organisation provides maintenance training, carries out assessments or issues certificates, it must do so only in accordance with:
- (a) its approval as a maintenance training organisation; and
  - (b) its exposition; and
  - (c) the Part 147 Manual of Standards.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**147.075 Assessment of foreign licences**

- (1) In assessing a person, a maintenance training organisation must not give credit to the person for holding a licence (however described) that was issued to the person by an excluded State.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note 1* Subregulation 66.060 prevents the recognition of a licence issued by an excluded State.

*Note 2* For recognition of a foreign licence issued by a recognised State, see regulations 66.030 and 66.035.

*Note 3* For recognition of a foreign licence not issued by a recognised State, see regulations 66.040, 66.045, 66.050 and 66.055.



**147.080 Providing employees with exposition**

- (1) If a maintenance training organisation's exposition relates to the duties of an employee of the organisation, the organisation must make the part of the organisation's exposition that relates to those duties available to the employee before the employee begins carrying out the duties.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**147.085 Complying with directions**

- (1) If CASA gives a maintenance training organisation a direction under regulation 147.065, the organisation must comply with the direction within the time mentioned in the direction.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**Part 149 Recreational aviation  
administration organisations**

*Note* This Part heading is reserved for future use.

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## Part 171                      **Aeronautical telecommunication service and radionavigation service providers**

**Note** *This Part is made up as follows:*

**Subpart 171.A    General**

- 171.005    Applicability of this Part
- 171.010    Interpretation
- 171.012    Meaning of *telecommunication service*
- 171.015    Person not to provide service without approval
- 171.017    Issue of Manual of Standards

**Subpart 171.B    Approval of service providers**

- 171.020    Application
- 171.022    Joint applications not permitted
- 171.025    If applicant is a corporation
- 171.026    CASA may ask for demonstration of service
- 171.027    Grant of approval
- 171.028    When decision must be made
- 171.029    Conditions

**Subpart 171.C    Obligations and privileges of service provider**

- 171.030    Service by provider
- 171.035    Changes by service provider to service
- 171.040    Changes by service provider to operations manual
- 171.050    Technicians
- 171.055    Test transmissions
- 171.065    Interruption to service
- 171.070    Test equipment
- 171.075    Documents to be maintained
- 171.080    Records
- 171.085    Security program
- 171.086    Safety management system

**Subpart 171.D    Contents of operations manual**

- 171.090    Operations manual to contain or refer to information
- 171.095    Organisation and management of service provider

**Regulation 171.005**

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|         |   |
|---------|---|
| 171.100 | Way in which standards are met                              |
| 171.105 | Functional specification and performance values of services |
| 171.110 | Technical description                                       |
| 171.115 | Safe operation  |
| 171.120 | Facility operation and maintenance plan                     |
| 171.125 | Safety management system                                    |
| 171.140 | Test equipment  |
| 171.145 | Interruption to service                                     |
| 171.150 | Document control  |
| 171.155 | Security program  |
| 171.160 | Changes to procedures                                       |

**Subpart 171.E Suspension and cancellation of approvals, and directions to vary manuals**

|         |   |
|---------|---|
| 171.220 | Suspension and cancellation of approvals          |
| 171.225 | Notice to approval holder to show cause           |
| 171.230 | Grounds for cancellation of approval              |
| 171.235 | Cancellation of approval after show cause notice  |
| 171.237 | Cancellation if cooperation or arrangement ceases |
| 171.245 | CASA's power to direct variation of manual        |
| 171.250 | Certificate                                       |
| 171.255 | Return of certificate if approval ceases          |

## **Subpart 171.A General**

### **171.005 Applicability of this Part**

- (1) This Part sets out:
  - (a) the requirements for a person to be approved as a provider of a ground-based aeronautical telecommunication or radionavigation service; and
  - (b) the requirements for the operation and maintenance of those services; and
  - (c) certain administrative rules relating to CASA in its administration of this Part.

**Regulation 171.010**

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- (2) However, this Part does not apply to:
- (a) a person who is providing an aeronautical telecommunication or radionavigation service in the course of his or her duties for the Defence Force; or
  - (b) any aeronautical telecommunication or radionavigation service provided by the Defence Force.

**171.010 Interpretation**

- (1) In this Part:

**accuracy**, in relation to a radionavigation service or facility, means the degree to which the value measured or displayed by the service or facility conforms to the true value.

**approval** means an approval, given by CASA, to provide a telecommunication or radionavigation service.

**availability**, for a telecommunication service, radionavigation service or support service, means the percentage of its operating hours that the service is not interrupted.

**certified air/ground radio service**, or **CA/GRS**, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

**configuration**, in relation to:

- (a) a telecommunication or radionavigation service — means the configuration of each facility and any interconnection between facilities that make up the service; and
- (b) a facility — means the configuration of equipment, hardware, software and data, and the interconnections between equipment.

**coverage**, in relation to a telecommunication or radionavigation service, means the volume of airspace in which, or the locations between which, the service is nominally provided.

*Examples*

1 The volume of airspace in which an aeronautical broadcasting service can be received and used.

2 The places served by an aeronautical fixed line telecommunication service.

**frequency confirmation system** means a ground radio system at an aerodrome that, if it receives a transmission from an

**Regulation 171.010**

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aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

**functional specification**, for a telecommunication service, a radionavigation service or a support service, is a general description of the service, its operating principles and its functions.

*Example*

The functional specification of an aeronautical radionavigation service may describe the kind of service, each standard to which it operates, the accuracy of its signal and the aircraft for which the service is provided.

**hazard** means a source of potential harm to aviation safety.

**integrity**, of a telecommunication service, a radionavigation service or a support service:

- (a) means the likelihood that the information supplied by the service at a particular moment is correct; and
- (b) includes the ability of the service to warn users promptly when the service should not be used.

**key personnel**, in relation to a service provider, means the person or persons who manage 1 or more of the following:

- (a) operations;
- (b) maintenance;
- (c) safety.

**Manual of Standards** means the document called ‘Manual of Standards (MOS) – Part 171’ issued by CASA under regulation 171.017, as in force from time to time.

**operating hours**, for a telecommunication or radionavigation service, means the times during which the service provider must, under its approval, operate the service.

**operations manual** means a manual of the kind described in Subpart 171.D, prepared by a service provider or a person applying for approval.

**radionavigation service** means an aeronautical radio navigation service within the meaning given in Volume II of Annex 10 to the Chicago Convention.

**recovery time** means the period during which a service is interrupted.

**Regulation 171.010**

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**reliability**, of a telecommunication service, a radionavigation service or a support service, means the probability that the service will perform its function or functions without failure for a specified period.

**risk** means risk to aviation safety.

**safety** means aviation safety.

**service provider** means a person approved to operate and maintain a telecommunication or radionavigation service, and whose approval is not suspended or revoked.

**technical specification**, for a telecommunication service or facility, or a radionavigation service or facility, is a detailed description, that may use technical terms and concepts, of:

- (a) the way in which the service or facility operates and performs its functions; and
- (b) the technical standards to which the service or facility has been designed and manufactured.

*Example*

The technical specification of a particular kind of radionavigation service may include its frequency band, channel spacing, frequency tolerance, effective radiated transmitter power, antenna type and gain, effective radiated power and radial phase modulation.

**technician** means a person who is engaged by a service provider to do 1 or more of the following:

- (a) operate a facility;
- (b) maintain a facility;
- (c) conduct measurements of the performance of, and calibration of, a facility during a flight inspection.

(2) For this Part:

- (a) a telecommunication or radionavigation service is provided using 1 or more **facilities** at 1 or more locations, each facility consisting of:
  - (i) 1 item of equipment; or
  - (ii) items of interconnected equipment; at a particular location; and
- (b) a service is **interrupted** if, during its operating hours:
  - (i) it is not operating because it has failed or has been suspended; or

**Regulation 171.015**

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- (ii) it is operating outside its technical specification.

**171.012 Meaning of *telecommunication service***

- (1) In this Part, *telecommunication service* means any of the following:
- (a) 1 or both of the following, within the meaning given for each in Volume II of Annex 10 to the Chicago Convention:
    - (i) an aeronautical broadcasting service;
    - (ii) an aeronautical fixed service;
  - (b) an aeronautical mobile service, within the meaning given in Volume II of Annex 10 to the Chicago Convention, that is used to support an air traffic service of a kind mentioned in Annex 11 to the Chicago Convention;
  - (c) any system that processes or displays air traffic control data.
- (2) However, none of the following is a *telecommunication service*:
- (a) an aerodrome weather information broadcast service (within the meaning in AIP);
  - (b) a certified air/ground radio service at an aerodrome;
  - (c) a frequency confirmation system at an aerodrome;
  - (d) pilot activated lighting (within the meaning in AIP) at an aerodrome;
  - (e) a UNICOM service (within the meaning in AIP).

**171.015 Person not to provide service without approval**

- (1) A person that is not a service provider must not provide a telecommunication or radionavigation service.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

**Regulation 171.017**

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**171.017 Issue of Manual of Standards**

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
  - (a) standards relating to the procedures, systems and documents required for the provision of a radionavigation service or a telecommunication service;
  - (b) standards for facilities and equipment used to provide a radionavigation service or a telecommunication service;
  - (c) standards, including competency standards and minimum qualifications, for a technician or, if a service provider is an individual, a service provider;
  - (d) any matter required or permitted by the regulations to be provided for by the Manual of Standards;
  - (e) any matter necessary or convenient to be provided for the effective operation of this Part.

*Note* A Manual of Standards is a legislative instrument— see subsections 98 (5A) and (5B) of the Act and subparagraph 6 (d) (i) of the *Legislative Instruments Act 2003*. It must be registered in accordance with the latter Act and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275 (3) or regulation 11.280) to each service provider.

*Note* Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

**Subpart 171.B Approval of service providers**

*Note* In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as a telecommunication or radionavigation service provider.

**171.020 Application**

- (1A) Subject to regulation 171.022, an eligible person may apply to CASA for approval as a provider of a telecommunication service or a radionavigation service, or both.



**Regulation 171.022**

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- (1) For subregulation (1A), a person is an eligible person if the person is any of the following:
  - (a) the Commonwealth;
  - (b) AA;
  - (c) a person who is to provide a telecommunication service, a radionavigation service, or both:
    - (i) in cooperation with AA, in accordance with paragraph 11 (3) (b) of the *Air Services Act 1995*; or
    - (ii) by arrangement with AA, in accordance with paragraph 11 (3) (c) of the *Air Services Act 1995*.
- (2) An application must be in writing, and must include:
  - (a) the applicant's name and address; and
  - (b) a copy of the applicant's operations manual, prepared as if the applicant were a service provider; and
  - (c) a statement, prepared by referring to the list of services in the Manual of Standards, showing each kind of telecommunication or radionavigation service for which the application is being made; and
  - (d) a statement of the intended location and coverage of each service.
- (3) If an application is made to provide a telecommunication or radionavigation service that would not comply with 1 or more of the standards set out in:
  - (a) Annexes 10, 11 and 14 to the Chicago Convention; and
  - (b) the Manual of Standards;the application must also describe the reasons for, and consequences of, the non-compliance.

*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

**171.022 Joint applications not permitted**

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.
- (2) An application purportedly made by a partnership is not a valid application for any purpose.

**Regulation 171.025**

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**171.025 If applicant is a corporation**

- (1) For regulation 171.020, if the applicant is a corporation, the application must include:
  - (a) the applicant's registered address and ACN; and
  - (b) the names and addresses of its officers.
- (2) In paragraph (1) (b):

*officer* has the meaning given by section 9 of the *Corporations Act 2001*.

*Note* See Subpart 171.E for provisions about administration of applications.

**171.026 CASA may ask for demonstration of service**

Regulation 11.045 applies in relation to an approval as a provider of a telecommunication service or a radionavigation service.

**171.027 Grant of approval**

- (1) Subject to regulation 11.055 and subregulation (2), if a person (the *applicant*) has applied for approval as a provider of a telecommunication service or a radionavigation service under this Part, CASA must grant the approval.
- (2) CASA may approve the applicant only if CASA approves the applicant's draft operations manual.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

**171.028 When decision must be made**

- (1) If CASA does not make a decision about an application within 90 days after receiving it, CASA is taken to have refused the application.

**Regulation 171.029**

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- (2) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (3) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050 (3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (4) Also, if CASA invites an applicant to make a written submission under subregulation 11.050 (2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (5) In this regulation:  
*application* includes an application to vary an approval under this Division.

**171.029 Conditions**

- (1) Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, a condition that restricts:
  - (a) the kind of telecommunication or radionavigation service to be provided; or
  - (b) the way in which a service is provided; or
  - (c) the coverage of a service; or
  - (d) the time during which a service is provided.
- (2) In particular, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11 (3) of the *Air Services Act 1995*.

**Regulation 171.030**

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**Subpart 171.C Obligations and privileges of service provider**

**171.030 Service by provider**

- (1) A telecommunication or radionavigation service must be provided in accordance with:
  - (a) the approval; and
  - (b) the service provider's operations manual.
- (2) Subregulation (1) does not apply to:
  - (a) a test transmission made in accordance with regulation 171.055; or
  - (b) a telecommunication or radionavigation service provided in an emergency.

**171.035 Changes by service provider to service**

- (1) This regulation applies if a service provider wants to make a change to its telecommunication or radionavigation service (including by providing an additional service):
  - (a) the effect of which would be that the provider's telecommunication or radionavigation service would no longer be in accordance with the certificate issued to the provider under regulation 171.250 (as in force before 27 June 2011) or regulation 11.060; or
  - (b) that requires prior notification to CASA because of a requirement to do so in the safety management system prepared in accordance with regulation 171.086.
- (2) Before making the change the service provider must:
  - (a) prepare a draft amendment of the operations manual that reflects the proposed change; and
  - (b) send a copy of the draft amendment to CASA.
- (2A) A service provider that complies with subregulation (2) in relation to making a change is taken to have applied for the approval of the proposed change under Subpart 171.E.

- (3) If CASA approves the draft amendment of the manual, the provider may:
  - (a) incorporate the amendment into the manual; and
  - (b) after approval of the change comes into effect in accordance with regulation 11.065, make the change.

#### **171.040 Changes by service provider to operations manual**

A provider may change its operations manual without changing its service if it sends CASA a copy of the amendment to the manual.

#### **171.050 Technicians**

- (1) A service provider must ensure that each technician is competent and holds the qualifications specified in the Manual of Standards for a technician of that kind.
- (2) In particular, the provider must ensure that each technician has been:
  - (a) appropriately trained; and
  - (b) assessed as competent by a person who is qualified in accordance with the standard set out in the Manual of Standards.
- (3) A service provider must give each technician a certificate that:
  - (a) names the technician; and
  - (b) describes the operation and maintenance functions that the technician may perform; and
  - (c) describes the kinds of facility or facilities for which the technician is authorised to perform those functions; and
  - (d) states the period during which the certificate is effective.

#### **171.055 Test transmissions**

A service provider may make a test transmission if:

- (a) the transmission is necessary to test a service, facility or equipment; and
- (b) the provider takes any one or more of the following precautions:

**Regulation 171.065**

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- (i) a reasonable time before commencing the transmission, the provider tells AIS about the transmission;
- (ii) at the commencement of the transmission, the service provider identifies the transmission as a test transmission;
- (iii) the transmission contains information identifying it as a test transmission.

**171.065 Interruption to service**

- (1) This regulation applies if a telecommunication or radionavigation service is interrupted or if the service provider knows that the service is to be interrupted.
- (2) If the service is published in an AIP the service provider must tell AIS about the interruption.
- (3) If it is practicable to do so the service provider must tell users of the service about the interruption.

**171.070 Test equipment**

A service provider's facility or facilities must be tested and maintained using test equipment that is maintained and calibrated in accordance with the standards in the Manual of Standards.

**171.075 Documents to be maintained**

- (1) The following documents must be maintained by a service provider:
  - (a) the operations manual;
  - (b) any technical manual used by the service provider at the facility;
  - (c) any documents of a kind listed in the Manual of Standards that relate to the provider's service.
- (2) For subregulation (1), a document is *maintained*, if it:
  - (a) includes all amendments (other than draft amendments prepared for regulation 171.035); and

**Regulation 171.080**

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- (b) bears the date of:
    - (i) the creation of the document; or
    - (ii) for a revised document — the most recent revision of the document; and
  - (c) is available to the personnel who must refer to the document; and
  - (d) identifies the person who authorised the creation and any revision of the document.
- (3) For paragraph (1) (b), a *technical manual* means a document, other than the operations manual, that contains technical information about the operation and maintenance of a facility.

*Example*

An equipment manufacturer's instruction book.

- (4) A service provider must ensure that:
- (a) a master copy of each document mentioned in this regulation is kept safely; and
  - (b) copies of documents are kept in a form that enables amendments to be made; and
  - (c) any document that has been replaced can not be used by mistake.

**171.080 Records**

- (1) A service provider must retain each document that:
- (a) is given to or is created by or for the service provider; and
  - (b) could relate to aviation safety; and
  - (c) helps provide a history of events that relate to the design, installation, testing, operation, maintenance, modification or repair of, or changes to, each facility.
- (2) A document for subregulation (1) includes any record of a kind mentioned in the Manual of Standards that is given to, or created by or for, the provider.

*Examples*

Records of the operational performance of a service, changes to the configuration of a facility, records showing software upgrades, or records of commissioning procedures.

**Regulation 171.085**

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- (3) A document retained for this regulation must be:
  - (a) stored so it can be retrieved if needed for an aviation safety investigation; and
  - (b) retained for at least 5 years.

**171.085 Security program**

- (1) A service provider must have, and put into effect, the security program set out in the operations manual.
- (2) The security program must be in accordance with the standards set out in the Manual of Standards.

**171.086 Safety management system**

- (1) A service provider must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to safely provide the telecommunication and radionavigation services permitted under its approval.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The service provider must keep its safety management system under review and must take such corrective action as is necessary to ensure that it operates properly.

**Subpart 171.D Contents of operations manual**

**171.090 Operations manual to contain or refer to information**

- (1) An operations manual must contain the information mentioned in this Subpart that applies to each telecommunication or radionavigation service and kind of facility of the service provider.
- (2) A requirement under this Subpart to include particular information in an operations manual may be satisfied by referring, in the manual, to that information in another document held by the service provider.



*Example*

An equipment manufacturer's technical manual.

**171.095 Organisation and management of service provider**

An operations manual must include an organisation chart of the service provider that shows:

- (a) the names, relevant qualifications, relevant experience and positions of the key personnel; and
- (b) the number of technicians who will provide each service; and
- (c) whether the people mentioned in paragraphs (a) and (b) are employees.

**171.100 Way in which standards are met**

(1) An operations manual must:

- (a) contain each standard that relates to the design, installation, testing, operation or maintenance of the service provider's services and facilities; and
- (b) explain how each standard is met.

(2) For subregulation (1):

*standards* means any of the following standards that apply to the service or facility:

- (a) an ICAO standard;
- (b) a standard set out in Annex 10 to the Chicago Convention;
- (c) a standard in the Manual of Standards;
- (d) any other standard included in the operations manual.

**171.105 Functional specification and performance values of services**

(1) An operations manual must include:

- (a) the functional specification of each of the service provider's telecommunication or radionavigation services; and
- (b) the values or characteristics for each of the following that apply to the service:

**Regulation 171.110**

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- (i) availability;
  - (ii) reliability;
  - (iii) accuracy;
  - (iv) integrity.
- (2) The values mentioned in paragraph (1) (b) must be derived or measured from either or both of:
- (a) the configuration of each service; and
  - (b) the known performance of each service.
- (3) An operations manual must also describe the method used to calculate each of the values.
- (4) For a radionavigation service, the integrity values or characteristics must be given for each kind of navigation aid facility that forms part of the service.

**171.110 Technical description**

An operations manual must describe, for each telecommunication or radionavigation service provided:

- (a) the kind and location of each facility; and
- (b) the technical specification of each kind of facility; and
- (c) how each facility interconnects with any other facility or service; and
- (d) the way in which the service provider monitors each facility to ensure that it is operating in accordance with its technical specification.

**171.115 Safe operation**

- (1) An operations manual must describe the following:
- (a) the procedure that records the way in which each telecommunication or radionavigation service and each related facility is configured at any time;
  - (b) the procedure used to design each facility and each item of equipment so that it provides a safe service;
  - (c) the procedure that ensures that the design of, or changes to, a service or facility are authorised by a person who is qualified and competent to do so;

**Regulation 171.120**

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- (d) the method to be used to specify any changes to a service or facility, and to design, test and implement those changes;
  - (e) the procedure to be used to commission a new service or facility;
  - (f) the system to be used to maintain a record of the operational performance of a service;
  - (g) the procedure to be used to monitor the performance of each service and facility, and to compare the results with the appropriate technical specification;
  - (h) the procedure to be used if a service fails or a facility fault occurs, including the way in which the failure or fault is to be reported and rectified;
  - (i) the procedure to be used to report and rectify any defects found during operation and maintenance of the facility;
  - (j) the procedure to be used to:
    - (i) detect and correct any latent defects in equipment; and
    - (ii) change software to adapt to any changes to the configuration of hardware; and
    - (iii) change the design of equipment or facilities to adapt to any change to the functional or technical specification.
- (2) For subparagraph (1) (j) (ii), *software* includes any form of data or instructions for an electronic device.

**171.120 Facility operation and maintenance plan**

- (1) For this regulation:
- flight inspection* means a test of the accuracy, coverage or any other aspect of the performance of a service or facility conducted by using test equipment on board an aircraft in flight.
- (2) An operations manual must contain, for each kind of facility, an operation and maintenance plan that includes the following:
- (a) the procedures used for maintenance, including the procedures used for repair;

**Regulation 171.125**

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- (b) a description of the system used to schedule maintenance;
- (c) the interval between performance inspections and the method used to determine the interval;
- (d) a copy of the operating and maintenance instructions for the facility;
- (e) an analysis of the workload of technicians and key personnel that takes into account the numbers of these people and their qualifications;
- (f) if 1 or more flight inspections are necessary:
  - (i) the standards and procedures used for flight inspections; and
  - (ii) the interval between flight inspections; and
  - (iii) the identity of the person or persons who will conduct flight inspections.

**171.125 Safety management system**

An operations manual must include information about the safety management system set out in regulation 171.086.

**171.140 Test equipment**

An operations manual must describe the procedures to maintain and calibrate test equipment.

**171.145 Interruption to service**

- (1) An operations manual must:
  - (a) describe the procedure to be used if a telecommunication or radionavigation service is interrupted; and
  - (b) specify an acceptable recovery time for each service; and
  - (c) describe the procedure to be used if the acceptable recovery time of a service is exceeded; and
  - (d) if there is a method to provide an alternative service if a service is interrupted — describe the method.
- (2) Paragraph (1) (d) does not apply if, under an ATS agreement, an ATS provider is to arrange the alternative service.

### **171.150 Document control**

An operations manual must describe the system by which documents mentioned in regulation 171.080 are stored and retrieved.

### **171.155 Security program**

An operations manual must describe the security program mentioned in regulation 171.085.

### **171.160 Changes to procedures**

An operations manual must describe the method by which changes are made to the operation and maintenance procedures.

## **Subpart 171.E      Suspension and cancellation of approvals, and directions to vary manuals**

### **171.220 Suspension and cancellation of approvals**

- (1) CASA may state, in a show cause notice, that an approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended:
  - (a) if the approval is already suspended when the show cause notice is given to the holder — the approval continues to be suspended until CASA revokes the suspension, or the suspension lapses under subregulation (4); or
  - (b) the approval is suspended from when the notice is given to the holder.
- (3) CASA may revoke the suspension at any time.

**Regulation 171.225**

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- (4) If CASA has not cancelled the approval within 3 months after the day the show cause notice is given to the service provider, the suspension lapses at the end of that period.

**171.225 Notice to approval holder to show cause**

- (1) CASA may give an approval holder a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the approval.
- (2) A show cause notice must:
- (a) tell the approval holder of the facts and circumstances that justify the cancellation of the approval; and
  - (b) invite the holder to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2) (b), the period must not be less than 7 days.

**171.230 Grounds for cancellation of approval**

It is grounds for the cancellation of an approval if the holder:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) has otherwise been guilty of conduct that renders the holder's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

**171.235 Cancellation of approval after show cause notice**

- (1) CASA may cancel an approval only if:
- (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
  - (b) CASA has given the holder a show cause notice in relation to the grounds for the proposed cancellation; and

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**Regulation 171.245**

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- (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the holder; and
  - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) Subregulation (1) does not apply in relation to an approval in circumstances in which CASA must cancel the approval.
  - (3) If CASA has given a show cause notice to an approval holder, and it decides not to cancel the approval, it:
    - (a) must tell the holder in writing of the decision; and
    - (b) must, if the approval is suspended, revoke the suspension.

**171.237 Cancellation if cooperation or arrangement ceases**

- (1) CASA must cancel the approval of a person mentioned in subparagraph 171.020 (1) (c) (i) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel the approval of a person mentioned in subparagraph 171.020 (1) (c) (ii) if the arrangement mentioned in that subparagraph ceases.

**171.245 CASA's power to direct variation of manual**

- (1) If necessary in the interests of the safety of air navigation, CASA may direct a service provider in writing to vary its operations manual, within a reasonable period specified in the direction, in a way specified in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period mentioned in subregulation (1).
- (3) If the service provider does not comply with the direction within the period (including any extension of it), the manual is taken to cease to be approved at the end of the period.
- (4) After complying with the direction, the holder must give CASA a copy of the manual as so varied.

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## Part 172 Air Traffic Service Providers

**Note** *This Part is made up as follows:*

**Subpart 172.A General**

- 172.005 Applicability of this Part
- 172.010 Definitions for this Part
- 172.015 What is an ATS provider
- 172.020 Providing air traffic service without approval
- 172.022 Issue of Manual of Standards

**Subpart 172.B Approval as an ATS provider**

- 172.024 Applicant for approval as ATS provider
- 172.030 When applicant is eligible for approval
- 172.040 Approval not transferable
- 172.055 Variation of approvals

**Subpart 172.C Requirements to be complied with by ATS providers**

**Division 172.C.1 Operations manual**

- 172.060 Operations manual

**Division 172.C.2 Air traffic service**

- 172.065 Standards for air traffic service
- 172.070 Aeronautical telecommunications procedures
- 172.075 ICAO Doc. 4444 and ICAO Doc. 7030
- 172.080 Compliance with provider's operations manual
- 172.085 Priority of standards
- 172.090 Priority of inconsistent procedures

**Division 172.C.3 Standards for facilities and equipment**

- 172.095 Facilities and equipment

**Division 172.C.4 Organisation and personnel**

- 172.100 Definition for this Division
- 172.105 Organisation
- 172.110 Personnel
- 172.115 Supervisory personnel
- 172.120 Qualifications for certain personnel

**Division 172.C.5 Arrangements to maintain service**

- 172.125 Agreements with service providers
- 172.130 Agreements with aerodrome operators



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- 172.135 Arrangements for transfer of information
- Division 172.C.6 Management**
- 172.140 Training and checking program
- 172.145 Safety management system
- 172.150 Contingency plan
- 172.155 Security program
- Division 172.C.7 Reference materials, documents, records and log books**
- 172.160 Reference materials
- 172.165 Documents and records
- 172.170 Document and record control system
- 172.175 Logbooks
- Division 172.C.8 Notice of air traffic service**
- 172.180 Availability of air traffic service
- Subpart 172.D Telling CASA about changes**
- 172.185 Advice on organisational changes
- 172.190 Discontinuing air traffic service
- Subpart 172.E Miscellaneous**
- 172.195 ATS provider must not provide unauthorised air traffic service
- Subpart 172.F Administration**
- Division 172.F.1 Preliminary**
- 172.200 Applicability of this Subpart
- 172.202 Applying for approval
- Division 172.F.2 Approvals**
- 172.205 Joint applications not permitted
- 172.215 Applications by corporations etc — what must be included
- 172.230 CASA may require demonstrations of procedures or equipment
- 172.260 When CASA must approve an applicant
- 172.265 When decision must be made
- 172.270 Conditions
- Division 172.F.4 Directions to amend provider's operations manual**
- 172.300 CASA may direct amendments to provider's operations manual
- Division 172.F.5 Suspension and cancellation of approvals**
- 172.305 Definition for this Division

**Regulation 172.005**

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|---------|---|
| 172.310 | Suspension of approval by show cause notice       |
| 172.315 | Grounds for cancellation of approval              |
| 172.320 | Notice to show cause                              |
| 172.325 | Cancellation of approval after show cause notice  |
| 172.327 | Cancellation if cooperation or arrangement ceases |

**Subpart 172.A General**

**172.005 Applicability of this Part**

- (1) This Part:
  - (a) applies to a person that wants to become, or is, an ATS provider; and
  - (b) sets out certain administrative rules applying to CASA in its administration of this Part.
- (2) However, this Part does not apply to:
  - (a) a person who is providing an air traffic service in the course of his or her duties for the Defence Force; or
  - (b) any air traffic service provided by the Defence Force.

**172.010 Definitions for this Part**

In this Part:

*airspace authority* means:

- (a) the body having the responsibility for making determinations under regulation 5, declarations under regulation 6 and designations under regulation 8 of the *Airspace Regulations 2007*; or
- (b) if another body is given that responsibility under other regulations having the same or similar effect — that body.

*air traffic service* means an air traffic service of a kind mentioned in Annex 11, other than a certified air/ground radio service at an aerodrome.

*Annex 10* means Annex 10 to the Chicago Convention.

*Annex 11* means Annex 11 to the Chicago Convention.

*certified air/ground radio service*, or *CA/GRS*, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

*ICAO Doc. 4444* means Doc. 4444-RAC/501 (Procedures for Air Navigation Services – Rules of the Air and Air Traffic Services) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

*ICAO Doc. 7030* means Doc. 7030 (Regional Supplementary Procedures) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

*Manual of Standards* means the document called ‘Manual of Standards (MOS) – Part 172’ issued by CASA under regulation 172.022, as in force from time to time.

*provider’s operations manual*, in relation to an ATS provider, means the manual maintained by the provider under regulation 172.060.

### **172.015 What is an ATS provider**

An ATS provider is a person approved, under Subpart 172.F, to provide the air traffic services that are covered by the approval.

### **172.020 Providing air traffic service without approval**

- (1) A person that is not an ATS provider must not provide an air traffic service.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

### **172.022 Issue of Manual of Standards**

- (1) CASA may issue a Manual of Standards for this Part that provides for the following matters:
  - (a) standards, including procedures, systems and documents used to provide an air traffic service;

**Regulation 172.024**

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- (b) standards for facilities and equipment used to provide an air traffic service;
- (c) standards for the training and checking of an ATS provider's personnel;
- (d) any matter required or permitted by the regulations to be provided for by the Manual of Standards;
- (e) any matter necessary or convenient to be provided for the effective operation of this Part.

*Note* A Manual of Standards is a legislative instrument — see subsections 98 (5A) and (5B) of the Act and subparagraph 6 (d) (i) of the *Legislative Instruments Act 2003*. It must be registered in accordance with the latter Act and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Part (being a notice referred to in subregulation 11.275 (3) or regulation 11.280) to each ATS provider.

*Note* Subpart 11.J (including regulations 11.275 and 11.280) sets out procedures for the issue, amendment and revocation of a MOS.

## **Subpart 172.B Approval as an ATS provider**

### **172.024 Applicant for approval as ATS provider**

A person is eligible to apply for approval as an ATS provider if the person is any of the following:

- (a) the Commonwealth;
- (b) AA;
- (c) a person who is to provide an air traffic service:
  - (i) in cooperation with AA, in accordance with paragraph 11 (3) (b) of the *Air Services Act 1995*; or
  - (ii) by arrangement with AA, in accordance with paragraph 11 (3) (c) of the *Air Services Act 1995*.

### **172.030 When applicant is eligible for approval**

For Subpart 172.F, an applicant is eligible to become an ATS provider if the applicant is able to comply with the requirements of Subparts 172.C and 172.D or will be able to do so if the applicant is approved.

### **172.040 Approval not transferable**

An approval is not transferable.

### **172.055 Variation of approvals**

- (1) If an ATS provider wants to vary its approval, it must apply to CASA, under Subpart 172.F, for that purpose.
- (2) The application must contain, or have with it, a copy of the proposed variation.

## **Subpart 172.C Requirements to be complied with by ATS providers**

### **Division 172.C.1 Operations manual**

#### **172.060 Operations manual**

- (1) An ATS provider must, at all times, maintain an operations manual that complies with the standards set out in the Manual of Standards.
- (2) The provider:
  - (a) must keep the manual in a readily accessible form; and
  - (b) must ensure that each member of its personnel who performs functions in connection with any air traffic service that it provides has ready access to the manual.
- (3) The provider must amend the manual whenever it is necessary to do so to keep it in an up to date form.
- (4) If the provider is given a direction, under regulation 172.300, to amend the manual, the provider must comply with the direction.

**Regulation 172.065**

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- (5) The provider must ensure:
  - (a) that all the amendments are incorporated in all copies of the manual kept by the operator; and
  - (b) that copies of the amendments are given to CASA.

**Division 172.C.2 Air traffic service**

**172.065 Standards for air traffic service**

- (1) An ATS provider must ensure that any air traffic service that it provides is provided in accordance with:
  - (a) the standards set out in the Manual of Standards; and
  - (b) the standards set out or referred to in Annex 11, as varied by Gen 1.7 of Part 1 of the AIP.
- (2) However, the provider may deviate from the standards if an emergency, or other circumstance, arises that makes the deviation necessary in the interests of aviation safety.
- (3) As soon as practicable, the provider must tell CASA of the deviation and how long it is likely to last.

**172.070 Aeronautical telecommunications procedures**

An ATS provider must ensure that any air traffic service that it provides is provided in accordance with:

- (a) the radiotelephony procedures set out in Parts 1 and 2 of the AIP; and
- (b) the procedures for aeronautical telecommunications set out in Volume II of Annex 10, as varied by Gen 1.7 of Part 1 of the AIP.

**172.075 ICAO Doc. 4444 and ICAO Doc. 7030**

- (1) An ATS provider must ensure that any air traffic service that it provides is provided in accordance with the procedures and rules set out in ICAO Doc. 4444, as varied by Gen 1.7 of Part 1 of the AIP.

**Regulation 172.090**

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- (2) If a regional supplementary procedure set out in ICAO Doc. 7030 relates to an air traffic service that the provider provides, the provider must also ensure that the service is provided in accordance with that procedure.
- (3) However, the provider may deviate from a procedure or rule mentioned in subregulation (1), or a regional supplementary procedure mentioned in subregulation (2), if an emergency, or other circumstance, arises that makes the deviation necessary in the interests of aviation safety.
- (4) As soon as practicable, the provider must tell CASA of the deviation and how long it is likely to last.

**172.080 Compliance with provider's operations manual**

An ATS provider must ensure that any air traffic service that it provides is provided in accordance with its provider's operations manual.

**172.085 Priority of standards**

If, apart from this regulation, an ATS provider would be required by this Division to ensure that any air traffic service that it provides is provided in accordance with a standard in the Manual of Standards and a standard in Annex 11, as varied by Gen 1.7 of Part 1 of the AIP, and it is not possible to comply with both standards, the provider is only required to ensure that the service is provided in accordance with the standard in the Manual.

**172.090 Priority of inconsistent procedures**

- (1) In this regulation:  
*procedure* includes rules.
- (2) If, apart from this regulation, an ATS provider would be required by this Division to ensure that any air traffic service that it provides is provided in accordance with 2 or more procedures that are inconsistent, the provider is only required to ensure that the service is provided in accordance with whichever of the procedures has the highest priority.

**Regulation 172.095**

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- (3) For this regulation, 2 or more procedures are inconsistent if:
  - (a) it is not possible to comply with both or all of the procedures; or
  - (b) they require the same, or substantially similar, action to be taken at different times or in a different way.
- (4) The order of priority of a procedure is as follows (starting with those of highest priority):
  - (a) procedures in Parts 1 and 2 of the AIP;
  - (b) procedures for aeronautical telecommunications in Volume II of Annex 10, as varied by Gen 1.7 of Part 1 of the AIP;
  - (c) procedures in ICAO Doc. 7030;
  - (d) procedures in ICAO Doc. 4444, as varied by Gen 1.7 of Part 1 of the AIP;
  - (e) any procedures in the provider's operations manual.

**Division 172.C.3 Standards for facilities and equipment**

**172.095 Facilities and equipment**

- (1) An ATS provider must, at all times, make available for use by its personnel the equipment and facilities necessary for providing, in accordance with the standards set out in the Manual of Standards, the air traffic services covered by its approval.
- (2) The equipment must include equipment of the kinds specified in the Manual of Standards.
- (3) Any equipment and facilities mentioned in chapter 6 of Annex 11 that the provider uses in providing an air traffic service must comply with the standards of that chapter.
- (4) If the provider uses a control tower in providing an air traffic service, the provider must ensure the control tower is designed, sited, constructed, equipped and maintained in accordance with the standards set out in the Manual of Standards.



## **Division 172.C.4 Organisation and personnel**

### **172.100 Definition for this Division**

In this Division:

*trained*, in relation to a member of an ATS provider's personnel, means trained in accordance with any relevant requirements set out in the provider's training and checking program mentioned in regulation 172.140.

### **172.105 Organisation**

An ATS provider must, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it to provide, in accordance with the standards set out in the Manual of Standards and the standards set out or referred to in Annex 11, the air traffic services covered by its approval.

### **172.110 Personnel**

An ATS provider must have, at all times, enough suitably qualified and trained personnel to enable it to provide, in accordance with the standards set out in the Manual of Standards and the standards set out or referred to in Annex 11, the air traffic services covered by its approval.

### **172.115 Supervisory personnel**

An ATS provider must have, at all times, enough suitably qualified and trained personnel who are able to supervise the provision of any air traffic service that it provides.

### **172.120 Qualifications for certain personnel**

- (1) An ATS provider must not give to a person responsibility for an air traffic control function to be performed in connection with any air traffic service that it provides unless:
  - (a) CASA has authorised the person to perform the function under regulation 65.035; or

**Regulation 172.120**

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- (b) the person holds an ATC licence with a rating for the function and an endorsement for the controlled aerodrome for which, or the airspace in relation to which, the person performs the function; or
  - (c) the person performs the function under the supervision of another person who holds an ATC licence with a rating for the function and an endorsement for the controlled aerodrome for which, or the airspace in relation to which, the person performs the function.
- (2) The provider must not give to a person responsibility for a flight service function to be performed in connection with any air traffic service that it provides unless:
- (a) CASA has authorised the person to perform the function under regulation 65.050; or
  - (b) the person holds a flight service licence with a rating for the function and an endorsement for the aerodrome for which, or the airspace in relation to which, the person performs the function; or
  - (c) the person performs the function under the supervision of another person who holds a flight service licence with a rating for the function and an endorsement for the aerodrome for which, or the airspace in relation to which, the person performs the function.
- (3) The provider must not give to a person responsibility for an air traffic control function to be performed in connection with any air traffic service that it provides if the person is subject to a direction under regulation 65.255.
- (4) The provider must not give to a person responsibility for a flight service function to be performed in connection with any air traffic service that it provides if the person is subject to a direction under regulation 65.255.

## **Division 172.C.5 Arrangements to maintain service**

### **172.125 Agreements with service providers**

- (1) In this regulation:  
*service provider* means a person:
  - (a) that is approved, under Part 171, to provide a telecommunication service, radionavigation service, or both; and
  - (b) whose approval is in force.
- (2) An ATS provider (other than an ATS provider that is also a service provider) must have an agreement with a service provider for any telecommunication service or radionavigation service that the service provider provides to the ATS provider.
- (3) An agreement, under subregulation (2), must be in accordance with the standards set out in the Manual of Standards.

### **172.130 Agreements with aerodrome operators**

- (1) In this regulation:  
*vehicle* includes boat.
- (2) If an ATS provider (other than an ATS provider that is also an aerodrome operator) provides an air traffic service for a controlled aerodrome, the provider must have an agreement with the aerodrome operator covering the arrangements for controlling aircraft, vehicles and people on the manoeuvring area of the aerodrome.
- (3) An agreement, under subregulation (2), must be in accordance with the standards set out in the Manual of Standards.

### **172.135 Arrangements for transfer of information**

- (1) An ATS provider must have, at all times, adequate arrangements to ensure that it gets, and will continue to get, the services and information necessary to provide the air traffic services covered by its approval.

**Regulation 172.140**

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- (2) The provider must have, at all times, adequate arrangements to ensure that it is able, and will continue to be able, to provide information in connection with any of those air traffic services to another person whose duties or functions reasonably require that information.

**Division 172.C.6 Management**

**172.140 Training and checking program**

An ATS provider must, at all times, provide a training and checking program, in accordance with the Manual of Standards, to ensure that each member of its personnel who performs functions in connection with any air traffic service that it provides is competent to perform those functions.

**172.145 Safety management system**

- (1) An ATS provider must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to provide the air traffic services covered by its approval safely.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The provider must keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly.

**172.150 Contingency plan**

- (1) An ATS provider must have a contingency plan, in accordance with the standards set out in the Manual of Standards, of the procedures to be followed if, for any reason, an air traffic service being provided by it is interrupted.
- (2) The plan must include:
  - (a) the actions to be taken by the members of the provider's personnel responsible for providing the service; and
  - (b) possible alternative arrangements for providing the service; and

- (c) the arrangements for resuming normal operations for the service.

### **172.155 Security program**

- (1) An ATS provider must have, and put into effect, a security program that sets out the procedures designed to protect its personnel, and any facility and equipment that it uses, in providing any of its air traffic services.
- (2) The security program must be in accordance with the standards set out in the Manual of Standards.

### **Division 172.C.7 Reference materials, documents, records and log books**

#### **172.160 Reference materials**

- (1) An ATS provider must maintain the following reference materials:
  - (a) copies of the Act and these Regulations;
  - (b) copies of Annex 11 and Volume II of Annex 10;
  - (c) a copy of ICAO Doc. 4444;
  - (d) if a regional supplementary procedure set out in ICAO Doc. 7030 relates to an air traffic service that the provider provides — a copy of ICAO Doc. 7030;
  - (e) a copy of the parts of the AIP that are relevant to any air traffic services that it provides;
  - (f) the Manual of Standards;
  - (g) all manuals and documents specified in the Manual of Standards;
  - (h) a copy of any instruction issued by it to its personnel in relation to the provision of its air traffic services.
- (2) The provider must keep the reference materials up to date and in a readily accessible form.
- (3) The provider's personnel who perform functions in connection with any air traffic service that the provider provides must have ready access to the reference materials.

**Regulation 172.165**

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**172.165 Documents and records**

- (1) An ATS provider must keep documents and records of the kinds specified in the Manual of Standards.
- (2) A document or record must be retained for as long as the Manual specifies for the particular kind of document or record.
- (3) The provider must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

**172.170 Document and record control system**

- (1) An ATS provider must establish, and put into effect, a system for controlling documents and records relating to the air traffic services that it provides, including the policies and procedures for making, amending, preserving and disposing those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.
- (3) The documents and records must include the documents and records required to be kept under regulation 172.165.

**172.175 Logbooks**

- (1) An ATS provider must keep, for each air traffic service that it provides from a particular location, a logbook in accordance with the standards set out in the Manual of Standards.
- (2) The provider must ensure that information of the kinds mentioned in the Manual is recorded in each logbook.
- (3) The provider must, at CASA's request, make each logbook, or a copy of it or an extract from it, available for inspection by CASA.

## **Division 172.C.8 Notice of air traffic service**

### **172.180 Availability of air traffic service**

- (1) An ATS provider must give to the AIS details of each air traffic service that it provides in particular airspace, or for a particular aerodrome, including the hours during which the service is available.
- (2) An ATS provider must tell the AIS about changes, interruptions or the unavailability of any of its air traffic services, if it is practicable to do so.

## **Subpart 172.D Telling CASA about changes**

### **172.185 Advice on organisational changes**

An ATS provider must tell CASA, in writing, of a change of circumstances that materially affects its capacity to provide any of its air traffic services within 7 days after the change occurs.

### **172.190 Discontinuing air traffic service**

- (1) An ATS provider must not discontinue an air traffic service that it provides, unless it has given CASA at least 7 days written notice that the service is to be discontinued.
- (2) Subregulation (1) does not apply if, having regard to the provider's circumstances:
  - (a) it was not reasonably practicable for the provider to give to CASA at least 7 days notice; and
  - (b) the provider gives the notice as soon as reasonably practicable before, on or after the day when the service is discontinued.

**Regulation 172.195**

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**Subpart 172.E Miscellaneous**

**172.195 ATS provider must not provide unauthorised air traffic service**

An ATS provider must not provide an air traffic service unless its approval:

- (a) is in force; and
- (b) covers that service.

**Subpart 172.F Administration**

*Note* In addition to the provisions of this Subpart, Part 11 contains provisions relating to an application for approval as an ATS provider.

**Division 172.F.1 Preliminary**

**172.200 Applicability of this Subpart**

This Subpart:

- (a) sets out certain administrative rules applying to CASA in its administration of this Part; and
- (b) includes certain generic provisions applying to anyone who wants to become, or is, an ATS provider.

**Division 172.F.2 Approvals**

**172.202 Applying for approval**

Subject to regulation 172.205, a person may apply to CASA, in writing, for approval as an ATS provider.

*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

**172.205 Joint applications not permitted**

- (1) An application purportedly made by 2 or more persons jointly is not a valid application for any purpose.



- (2) An application purportedly made by a partnership is not a valid application for any purpose.

**172.215 Applications by corporations etc — what must be included**

- (1) An application from a person other than an individual must set out:
- (a) the applicant's registered address and ACN; and
  - (b) the names and addresses of its officers.
- (2) In paragraph (1) (b):  
*officer* has the meaning given by section 9 of the *Corporations Act 2001*.

**172.230 CASA may require demonstrations of procedures or equipment**

Regulation 11.045 applies in relation to an approval as an ATS provider.

**172.260 When CASA must approve an applicant**

- (1) Subject to regulation 11.055 and subregulation (2), if an applicant has applied for approval as an ATS provider under this Part, CASA must grant the approval.
- (2) CASA must refuse an application for an approval for an air traffic service to be provided in particular airspace, or for a particular aerodrome, if anyone else who is an ATS provider already provides that service in that airspace or for that aerodrome.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue, or cancelling, suspending or varying, an approval; or
- (b) a decision imposing a condition on an approval.

**Regulation 172.265**

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**172.265 When decision must be made**

- (1) If CASA does not make a decision about an application within the period mentioned in subregulation (2) after receiving it, CASA is taken to have refused the application.
- (2) The period is 6 months.
- (3) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, comes in for interview, or gives CASA the information or copy requested, does not count towards the period.
- (4) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050 (3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (5) Also, if CASA invites an applicant to make a written submission under subregulation 11.050 (2), the time between when CASA gives the invitation and when the applicant makes the written submission does not count towards the period.
- (6) In this regulation:  
*application* includes an application to vary an approval under this Division.

**172.270 Conditions**

Without limiting regulations 11.056 and 11.067, CASA may impose, on an approval, any condition necessary to give effect to an arrangement mentioned in subsection 11 (3) of the *Air Services Act 1995*.

**Division 172.F.4 Directions to amend provider's operations manual**

**172.300 CASA may direct amendments to provider's operations manual**

- (1) If necessary in the interests of the safety of air navigation, CASA may direct an ATS provider, in writing, within a reasonable period specified in the direction, to amend its provider's operations manual in a way specified in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period referred to in subregulation (1).

**Division 172.F.5 Suspension and cancellation of approvals**

**172.305 Definition for this Division**

In this Division:

*show cause notice* means a notice under regulation 172.320.

**172.310 Suspension of approval by show cause notice**

- (1) CASA may state, in a show cause notice, that an ATS provider's approval is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.  
*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.
- (2) If a show cause notice states that the approval is suspended, the approval is suspended from when the notice is given to the provider.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval under regulation 172.325, within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

**Regulation 172.315**

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**172.315 Grounds for cancellation of approval**

It is grounds for the cancellation of an ATS provider's approval if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting the approval; or
- (d) has otherwise been guilty of conduct that renders the provider's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

*Note* Regulation 201.004 provides for review of certain decisions by the Administrative Appeals Tribunal.

**172.320 Notice to show cause**

- (1) CASA may give an ATS provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the provider's approval.
- (2) A show cause notice must:
  - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
  - (b) invite the provider to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2) (b), the period must not be less than 7 days.

**172.325 Cancellation of approval after show cause notice**

- (1) CASA may cancel an ATS provider's approval only if:
  - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
  - (b) CASA has given the provider a show cause notice in relation to the grounds for the proposed cancellation; and
  - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the provider; and

**Regulation 172.327**

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- (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an ATS provider, and it decides not to cancel the provider's approval, it:
  - (a) must tell the provider, in writing, of the decision; and
  - (b) must, if the approval is suspended, revoke the suspension.

**172.327 Cancellation if cooperation or arrangement ceases**

- (1) CASA must cancel the approval of a person mentioned in subparagraph 172.024 (c) (i) if the cooperation mentioned in that subparagraph ceases.
- (2) CASA must cancel the approval of a person mentioned in subparagraph 172.024 (c) (ii) if the arrangement mentioned in that subparagraph ceases.

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## Part 173 Instrument flight procedure design

**Note** *This Part is made up as follows:*

### **Subpart 173.A General**

- 173.005 Applicability
- 173.010 Definitions for this Part
- 173.015 What is a *certified designer*
- 173.020 What is a *procedure design certificate*
- 173.025 What is an *authorised designer*
- 173.030 What is a *procedure design authorisation*
- 173.035 Design, review or amendment of terminal instrument flight procedures — requirement for procedure design certificate etc
- 173.040 Designing instrument flight procedures other than terminal instrument flight procedures

### **Subpart 173.B Certified designers**

#### **Division 173.B.1 Certification as certified designer**

- 173.045 Applications for procedure design certificates
- 173.050 Criteria for grant of procedure design certificates
- 173.055 Procedure design certificate
- 173.060 Procedure design certificates subject to conditions
- 173.065 How long procedure design certificates remain in force
- 173.070 Variation of procedure design certificates

#### **Division 173.B.2 Requirements to be complied with by certified designers**

- 173.075 Certified designer to maintain operations manual
- 173.080 Compliance with operations manual
- 173.085 Standards for design of terminal instrument flight procedures etc
- 173.090 Verification of terminal instrument flight procedures
- 173.095 Validation of terminal instrument flight procedures
- 173.100 Publication of terminal instrument flight procedures
- 173.105 Radio navigation aids
- 173.110 Maintenance of terminal instrument flight procedures
- 173.115 Certified designer to provide facilities etc
- 173.120 Certified designer to have appropriate organisation

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- 173.125 Certified designer to have sufficient personnel
  - 173.130 Supervisory personnel
  - 173.135 Certified designer to appoint chief designer
  - 173.140 Certified designer to provide training and checking program
  - 173.145 Certified designer to have safety management system
  - 173.150 Certified designer to maintain reference materials
  - 173.155 Certified designer to keep documents and records
  - 173.160 Certified designer to have document and record control system

**Division 173.B.3 Chief designer**

- 173.165 Approval for appointment of chief designer
- 173.170 Approval for appointment to act as chief designer
- 173.175 Appointment likely to have adverse effect on air safety
- 173.180 Chief designer's functions and duties
- 173.185 Duration of approval
- 173.190 Withdrawal or suspension of approval of appointment

**Division 173.B.4 Miscellaneous**

- 173.195 Advice on organisational changes
- 173.200 Discontinuing design work on terminal instrument flight procedures of a particular type
- 173.205 Notifying the AIS of a variation to a procedure design certificate
- 173.210 Discontinuing maintenance of particular terminal instrument flight procedures
- 173.215 Transfer of maintenance responsibility

**Subpart 173.C Authorised designers****Division 173.C.1 Authorisation as authorised designer**

- 173.220 Applications for procedure design authorisations
- 173.225 Criteria for grant of procedure design authorisations
- 173.240 How long procedure design authorisations remain in force
- 173.245 Applications to vary procedure design authorisations

**Division 173.C.2 Requirements to be complied with by authorised designers**

- 173.250 Operations manual
- 173.255 Compliance with operations manual
- 173.260 Standards for design of terminal instrument flight procedures etc
- 173.265 Off-shore installations

- 173.270 Maintenance of terminal instrument flight procedures
- 173.275 Authorised designer to have sufficient personnel
- 173.280 Authorised designer to maintain reference materials
- 173.285 Authorised designer to keep documents and records
- 173.290 Authorised designer to have document and record control system

**Division 173.C.3 Miscellaneous**

- 173.295 Discontinuing design work on terminal instrument flight of a particular type
- 173.300 Discontinuing maintenance of terminal instrument flight procedures
- 173.305 Transfer of maintenance responsibility

**Subpart 173.D Performance of design work**

- 173.310 Certified designer not to exceed the limitations of the designer's procedure design certificate
- 173.315 Authorised designer not to exceed the limitations of authorisation

**Subpart 173.E Administration**

**Division 173.E.1 Grant of procedure design certificates and procedure design authorisations**

- 173.320 Request for information
- 173.325 Other things CASA can ask applicant to do — interview
- 173.330 CASA may require demonstrations of equipment etc
- 173.335 Grant of procedure design certificate or procedure design authorisation
- 173.345 CASA may grant certificate or authorisation subject to conditions
- 173.350 When decision must be made

**Division 173.E.3 Directions to amend certified designer's or authorised designer's operations manual**

- 173.375 CASA may direct amendments to designer's operations manual

**Division 173.E.4 Suspension and cancellation of procedure design certificates and procedure design authorisations**

- 173.380 Suspension or cancellation of procedure design certificate or procedure design authorisation by CASA

**Division 173.E.5 Authorised inspectors**

- 173.390 CASA may appoint authorised inspectors
- 173.395 Identity card
- 173.400 Powers of authorised inspector



## **Subpart 173.A General**

### **173.005 Applicability**

- (1) This Part:
  - (a) provides for the standards that apply to the design of instrument flight procedures; and
  - (b) applies to the following persons:
    - (i) persons who want to become, or are, certified designers or authorised designers of terminal instrument flight procedures and certain employees of those persons;
    - (ii) persons who design instrument flight procedures other than terminal instrument flight procedures.
- (2) This Part also sets out certain rules that apply to CASA in administering procedure design certificates and procedure design authorisations.
- (3) Nothing in this Part applies:
  - (a) in relation to the design of terminal instrument flight procedures for use by an aircraft in circumstances where one or more engines of the aircraft become inoperative while it is on an IFR flight; or
  - (b) to a person who carries on design work on such procedures.

### **173.010 Definitions for this Part**

In this Part, unless the contrary intention appears:

***authorised designer*** has the meaning given by regulation 173.025.

***certified designer*** has the meaning given by regulation 173.015.

***chief designer***, for a certified designer, means a person appointed as chief designer for the certified designer under Division 173.B.3.

**Regulation 173.010**

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***continental shelf*** means the continental shelf of Australia, within the meaning of the Seas and Submerged Lands Act 1973.

***design work***, in relation to a terminal instrument flight procedure, means any of the following work:

- (a) designing the procedure or a part of the procedure;
- (b) verifying, maintaining, reviewing or amending the procedure;
- (c) supervising a person carrying on any work mentioned in paragraph (a) or (b).

***employee***, of a certified designer or an authorised designer, includes a person who carries on design work on a terminal instrument flight procedure for the designer in the course of performing services for the designer.

***ICAO Doc. 8168 (PANS-OPS)*** means Doc.8168-OPS/611 Volume II (Procedures for Air Navigation Services – Construction of Visual and Instrument Flight Procedures) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

***Manual of Standards*** means the document called ‘*Manual of Standards (MOS) Part 173 – Standards Applicable to the Provision of Instrument Flight Procedure Design*’, published by CASA, as in force from time to time.

*Note* The Manual of Standards is available from CASA’s website at:

[www.casa.gov.au](http://www.casa.gov.au).

***operations manual***:

- (a) in relation to a certified designer, means the manual maintained by the designer under regulation 173.075; and
- (b) in relation to an authorised designer, means the manual maintained by the designer under regulation 173.250.

***procedure design authorisation*** has the meaning given by regulation 173.030.

***procedure design certificate*** has the meaning given by regulation 173.020.

*type of terminal instrument flight procedure* means a type of terminal instrument flight procedure mentioned in the Manual of Standards.

*validate* has the same meaning as in the Manual of Standards.

*verify* has the same meaning as in regulation 173.090.

*Note* The following terms are defined in the Dictionary:

- AIS
- instrument approach procedure
- instrument departure procedure
- instrument flight procedures
- lowest safe altitude
- off-shore installation
- specialised helicopter operation
- terminal instrument flight procedure.

### **173.015 What is a *certified designer***

A *certified designer* is a person who is the holder of a procedure design certificate that is in force.

### **173.020 What is a *procedure design certificate***

A *procedure design certificate* is a certificate that:

- (a) is granted by CASA to a person under this Part; and
- (b) certifies that the person is authorised to carry on design work on a terminal instrument flight procedure of a type covered by the certificate subject to any conditions set out in the certificate.

### **173.025 What is an *authorised designer***

An *authorised designer* is a person who is the holder of a procedure design authorisation that is in force.

### **173.030 What is a *procedure design authorisation***

A *procedure design authorisation* is an authorisation that:

- (a) is granted by CASA to a person under this Part; and

**Regulation 173.035**

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- (b) authorises the person to carry on either of the following activities subject to any conditions set out in the notice to the person mentioned in regulation 173.230:
  - (i) review or amend a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by Australian aircraft operating under the IFR at, or in the vicinity of, an aerodrome in a foreign country;
  - (ii) carry on design work on a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.

**173.035 Design, review or amendment of terminal instrument flight procedures — requirement for procedure design certificate etc**

- (1) A person commits an offence if:
  - (a) the person carries on design work (other than work mentioned in subregulation (2) or (3)) on a terminal instrument flight procedure for use by Australian aircraft operating under the IFR, or by foreign aircraft operating under the IFR in Australian territory; and
  - (b) the person is not permitted to do so under subregulation (2).

Penalty: 50 penalty units.

- (2) For paragraph (1) (b), the following persons may carry on the work:
  - (a) CASA;
  - (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
  - (c) an employee of a certified designer mentioned in paragraph (b) who carries on the design work in the course of the employee's duties.

**Regulation 173.035**

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- (3) A person commits an offence if:
- (a) the person reviews or amends a terminal instrument flight procedure for use by Australian aircraft operating under the IFR at, or in the vicinity of, an aerodrome in a foreign country; and
  - (b) the person is not permitted to do so under subregulation (4).

Penalty: 50 penalty units.

- (4) For paragraph (3) (b), the following persons may review or amend the procedure:
- (a) CASA;
  - (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
  - (c) an employee of a certified designer mentioned in paragraph (b) who reviews or amends the procedure in the course of the employee's duties;
  - (d) an authorised designer whose procedure design authorisation authorises the designer to review or amend the procedure;
  - (e) an employee of an authorised designer mentioned in paragraph (d) who reviews or amends the procedure in the course of the employee's duties.

- (5) A person commits an offence if:
- (a) the person carries on design work on a terminal instrument flight procedure for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation; and
  - (b) the person is not permitted to do so under subregulation (6).

Penalty: 50 penalty units.

- (6) For paragraph (5) (b), the following persons may carry on the work:
- (a) CASA;

**Regulation 173.040**

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- (b) a certified designer whose procedure design certificate authorises the designer to carry on design work on the procedure;
  - (c) an employee of a certified designer mentioned in paragraph (b) who carries on the design work in the course of the employee's duties;
  - (d) an authorised designer whose procedure design authorisation authorises the designer to carry on design work on the procedure;
  - (e) an employee of an authorised designer mentioned in paragraph (d) who carries on the design work in the course of the employee's duties.
- (7) An offence against subregulation (1), (3) or (5) is an offence of strict liability.

**173.040 Designing instrument flight procedures other than terminal instrument flight procedures**

- (1) A person who designs an instrument flight procedure that is not a terminal instrument flight procedure must, in designing the procedure, meet any standards for the design of such a procedure set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

**Subpart 173.B Certified designers**

**Division 173.B.1 Certification as certified designer**

*Note* In addition to the provisions of this Division, Part 11 contains provisions relating to an application for certification as a certified designer.

**173.045 Applications for procedure design certificates**

- (1) A person may apply to CASA, in writing, for a procedure design certificate.

**Regulation 173.050**

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*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.

- (2) The application:
- (b) must state:
    - (i) the applicant's name and address; or
    - (ii) if the applicant is incorporated by or under a law of the Commonwealth or of a State or Territory, the applicant's name, registered address and ACN and the names and addresses of the people responsible for its management and control; and
  - (c) must contain or be accompanied by:
    - (i) a written statement specifying the type or each type of terminal instrument flight procedure proposed to be covered by the procedure design certificate; and
    - (ii) a written statement setting out the name, qualifications and relevant experience of the individual who is proposed to be the chief designer for the applicant's organisation; and
    - (iii) a written statement setting out the qualifications and relevant experience of any other member of the applicant's personnel whose duties would, if the certificate were granted to the applicant, include carrying on design work under the certificate; and
  - (d) must be accompanied by a copy of the operations manual under which the applicant proposes to design, or engage in design work on, terminal instrument flight procedures of the type or types concerned.

*Note* Part 11 also contains provisions relating to an application for a procedure design certificate.

**173.050 Criteria for grant of procedure design certificates**

For regulation 173.335, a person who has applied for the grant of a procedure design certificate must, if the certificate is granted, be able to comply with the requirements of Division 173.B.2.

**Regulation 173.055**

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**173.055 Procedure design certificate**

- (1) If CASA grants a procedure design certificate to a person under Subpart 173.E, CASA must state on the certificate:
  - (a) the person's name and principal place of business; and
  - (b) the type or each type of terminal instrument flight procedure covered by the certificate; and
  - (c) any conditions applicable to it; and
  - (d) the date when it comes into force; and
  - (e) any other information that CASA thinks should be included.

**173.065 How long procedure design certificates remain in force**

A procedure design certificate remains in force unless it is cancelled.

**173.070 Applications to vary procedure design certificates**

An application to vary a procedure design certificate must contain, or have with it, a copy of the proposed variation.

**Division 173.B.2 Requirements to be complied with by certified designers**

**173.075 Certified designer to maintain operations manual**

- (1) A certified designer must, at all times, maintain an operations manual that meets the standards for operations manuals set out in the Manual of Standards.
- (2) A certified designer:
  - (a) must keep the manual in a readily accessible form; and
  - (b) must ensure that each employee of the designer whose duties include carrying on design work under the designer's procedure design certificate has ready access to the manual; and
  - (c) must amend the manual whenever it is necessary to do so to keep it in an up-to-date form.



- (3) A certified designer must ensure:
- (a) that all amendments of the manual are incorporated in all copies of the manual kept by the certified designer; and
  - (b) that copies of the amendments are given to CASA.

### **173.080 Compliance with operations manual**

A certified designer must, in carrying on design work authorised under the designer's procedure design certificate, comply with the designer's operations manual.

### **173.085 Standards for design of terminal instrument flight procedures etc**

- (1) A certified designer designing a terminal instrument flight procedure under the certified designer's procedure design certificate must ensure that the procedure is designed in accordance with:
- (a) any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); and
  - (b) any applicable standards set out in the Manual of Standards.
- (2) If, apart from this subregulation, a certified designer would be required to ensure that a terminal instrument flight procedure is designed in accordance with a standard set out or referred to in the ICAO Doc. 8168 (PANS-OPS) and a standard set out in the Manual of Standards, and it is not possible to comply with both standards, the designer is only required to ensure that the procedure is designed in accordance with the Manual of Standards.

### **173.090 Verification of terminal instrument flight procedures**

- (1) A certified designer must establish procedures for verifying terminal instrument procedures that it is authorised to design under the designer's procedure design certificate or on which the designer is authorised to carry on design work.

**Regulation 173.090**

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- (2) The verification procedures:
- (a) must provide for 2 qualified designers to check independently the design of each terminal instrument flight procedure designed, or on which design work is carried on, under the certified designer's procedure design certificate; and
  - (b) must provide for one of those checks to be made by a qualified designer who did not carry on the design work concerned.
- (3) In this regulation, a reference to verifying a terminal instrument flight procedure is a reference to the process of checking the procedure (including all data, computations and drawings for the procedure) in accordance with any applicable standards set out in the Manual of Standards.
- (4) In this regulation:
- qualified designer***, in relation to a terminal instrument flight procedure, means an individual who:
- (a) is the holder, or an employee of the holder, of a procedure design certificate that authorises the holder to design terminal instrument flight procedures of the same type as the terminal instrument flight procedure concerned; and
  - (b) has successfully completed:
    - (i) an approved course of training in the methods and practices contained in ICAO Doc. 8168 (PANS-OPS); and
    - (ii) any training for persons carrying on design work on terminal instrument flight procedures that is specified in the operations manual under which the qualified designer performs the designer's duties; and
  - (c) meets the experience requirements for performing the functions of a qualified designer set out in the Manual of Standards.

### **173.095 Validation of terminal instrument flight procedures**

- (1) A certified designer must ensure that each terminal instrument flight procedure designed under the designer's procedure design certificate is validated by a CASA pilot in accordance with any applicable standards set out in the Manual of Standards.
- (2) In this regulation:  
*CASA pilot* means a pilot:
  - (a) who is an officer of CASA; and
  - (b) who meets the standards set out in the Manual of Standards for carrying out a validation flight check of a terminal instrument flight procedure.

*validation flight check* has the same meaning as in the Manual of Standards.

### **173.100 Publication of terminal instrument flight procedures**

- (1) A certified designer must ensure that each terminal instrument flight procedure designed under the designer's procedure design certificate is given to the AIS for publication in the AIP together with a certificate by the certified designer's chief designer to the effect that the procedure is designed and validated in accordance with any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS) and the Manual of Standards.
- (2) However, the designer need not give a terminal instrument flight procedure to the AIS if the procedure is for use only by an aircraft in a specialised helicopter operation.
- (3) A certified designer must ensure that all procedures designed under its procedure design certificate that are not given to the AIS for publication in the AIP are given to CASA.

**Regulation 173.105**

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**173.105 Radio navigation aids**

A certified designer must ensure that a terminal instrument flight procedure designed under the designer's procedure design certificate does not require the use of a ground-based radio-navigation aid other than one that is operated and maintained by a person certificated to do so under Part 171.

**173.110 Maintenance of terminal instrument flight procedures**

- (1) Subject to subregulation (2), a certified designer is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Manual of Standards, a terminal instrument flight procedure designed under the designer's procedure design certificate or for which that responsibility is transferred to the certified designer under regulation 173.215.
- (2) The certified designer ceases to be responsible for the maintenance of the procedure:
  - (a) if the certified designer has notified CASA and, if the procedure is published in the AIP, the AIS, under regulation 173.210, that the designer has ceased to have that responsibility:
    - (i) on the day when the notice is given; or
    - (ii) if a later day is specified in the notice — on the later day; or
  - (b) if the certified designer's responsibility for the maintenance of the procedure is transferred to another certified designer in accordance with regulation 173.215 — on the day when the responsibility is transferred; or
  - (c) if the certified designer has notified CASA and, if the procedure is published in the AIP, the AIS, under regulation 173.200, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
    - (i) on the day when the notice is given; or
    - (ii) if a later day is specified in the notice — on the later day; or

**Regulation 173.120**

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- (d) if the certified designer's procedure design certificate is varied under Subpart 173.E to exclude that type of procedure — on the day when the variation takes effect; or
- (e) if the certified designer ceases to be a certified designer — on the day when the designer ceases to be a certified designer.

**173.115 Certified designer to provide facilities etc**

- (1) A certified designer must provide and maintain adequate facilities for carrying on design work on terminal instrument flight procedures under the designer's procedure design certificate, including:
  - (a) providing premises and equipment appropriate for the certified designer's employees to carry on the design work; and
  - (b) ensuring that those employees have access to all necessary data for designing the procedures including:
    - (i) accurate and current databases or charts detailing terrain and obstacle information; and
    - (ii) accurate and current navigation aid coordinate data; and
    - (iii) accurate and current aerodrome reference point and threshold data.
- (2) A certified designer must, if an aeronautical database and aeronautical data is required for designing a terminal instrument flight procedure under the designer's procedure design certificate, have, and put into effect, procedures to ensure the integrity of the database and the data.

**173.120 Certified designer to have appropriate organisation**

A certified designer must, at all times, maintain an appropriate organisation with a sound and effective management structure to enable the designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations.

**Regulation 173.125**

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**173.125 Certified designer to have sufficient personnel**

A certified designer:

- (a) must employ a sufficient number of personnel to enable the designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations; and
- (b) must ensure that those personnel:
  - (i) are suitably qualified and competent to perform their duties; and
  - (ii) are trained in accordance with the Manual of Standards and the designer's operations manual.

**173.130 Supervisory personnel**

A certified designer must ensure that each employee who is occupying or acting in a supervisory position in the designer's organisation in relation to design work on terminal instrument flight procedures carried on under the designer's procedure design certificate meets the standards for supervisory positions set out in the Manual of Standards.

**173.135 Certified designer to appoint chief designer**

A certified designer must not carry on design work on a terminal instrument flight procedure under the designer's procedure design certificate unless:

- (a) the certified designer has appointed a person to be the chief designer for the designer's organisation; and
- (b) the appointment is approved by CASA and is in force; and
- (c) the functions of the chief designer are being carried out by the person or, if the chief designer is temporarily absent from duty, another person:
  - (i) who is appointed by the certified designer to act as chief designer; and
  - (ii) whose appointment is approved by CASA and is in force.

**173.140 Certified designer to provide training and checking program**

A certified designer must provide a training and checking program that is of an adequate standard to ensure that the employees of the designer maintain their competence and are provided with ongoing training appropriate to their duties.

**173.145 Certified designer to have safety management system**

- (1) A certified designer must have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary for managing design work on terminal instrument flight procedures carried on under the designer's procedure design certificate.
- (2) The safety management system must be in accordance with the standards set out in the Manual of Standards.
- (3) The designer must keep its safety management system under review and take any necessary corrective action to ensure that it operates properly.

**173.150 Certified designer to maintain reference materials**

- (1) A certified designer must maintain reference materials of the kinds specified in the Manual of Standards.
- (2) A certified designer must keep the reference materials up-to-date and in a readily accessible form.
- (3) Each employee of the certified designer who carries on design work on a terminal instrument flight procedure under the certified designer's procedure design certificate must have ready access to the reference materials.

**173.155 Certified designer to keep documents and records**

- (1) A certified designer must keep documents and records of the kinds specified in the Manual of Standards.

**Regulation 173.160**

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- (2) A document or record must be retained for as long as the Manual of Standards specifies for the particular kind of document or record.
- (3) The designer must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

**173.160 Certified designer to have document and record control system**

- (1) A certified designer must establish, and put into effect, a system for controlling documents and records relating to the terminal instrument flight procedures on which the designer carries on design work under the certified designer's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.
- (3) The documents and records must include the documents and records required to be kept under this Division.

**Division 173.B.3 Chief designer**

**173.165 Approval for appointment of chief designer**

- (1) A certified designer must not appoint a person as chief designer unless the appointment is approved by CASA.
- (2) To be appointed as chief designer, a person must, at the time of appointment, meet the standards for the chief designer for a certified designer's organisation set out in the Manual of Standards.

**173.170 Approval for appointment to act as chief designer**

- (1) A certified designer must not appoint a person to act as chief designer for the certified designer unless the appointment is approved by CASA.



**Regulation 173.175**

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- (2) To be appointed to act as chief designer, a person must, at the time of appointment, have sufficient qualifications and experience to enable the individual to carry out the functions of the appointment properly, having regard to the nature and scope of the design work carried on by the chief designer.

**173.175 Appointment likely to have adverse effect on air safety**

- (1) Without limiting the matters that CASA may take into account in deciding whether to approve an appointment of a person as chief designer or an appointment of a person to act as chief designer, CASA is not required to approve the appointment if the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) In deciding whether approval of the appointment of a person would be likely to have an adverse effect on the safety of air navigation, CASA may take into account the following:
- (a) the person's record of compliance with regulatory requirements (in Australia or elsewhere) relating to aviation safety and other transport safety;
  - (b) the experience of the person in aviation;
  - (c) the person's knowledge of the regulatory requirements applicable to civil aviation in Australia;
  - (d) any evidence held by CASA that the person has contravened:
    - (i) the Act or these Regulations; or
    - (ii) a law of another country relating to aviation safety; or
    - (iii) another law (of Australia or of another country) relating to transport safety.

*Note* Section 30A of the Act allows the Court to make an order excluding a person from a particular aviation activity. Such an order may have the effect of precluding the approval or acceptance of an appointment while the order is in force.

**Regulation 173.180**

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**173.180 Chief designer's functions and duties**

The chief designer for a certified designer's organisation is responsible to the certified designer for the following:

- (a) ensuring that any design work on the terminal instrument flight procedures that is carried on under the designer's procedure design certificate is carried on in accordance with these Regulations;
- (b) appointing persons as employees of the certified designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate;
- (c) effectively managing work done in relation to those terminal instrument flight procedures by those persons;
- (d) issuing certificates as required by regulation 173.100.

**173.185 Duration of approval**

- (1) An approval under regulation 173.165 or 173.170 stops being in force if:
  - (a) the appointment to which it relates ends; or
  - (b) it is withdrawn.
- (2) An approval is not in force during any period in which it is suspended.

**173.190 Withdrawal or suspension of approval of appointment**

- (1) CASA may, by notice in writing to a person appointed as the chief designer, or to act as the chief designer, for a certified designer's organisation, withdraw or suspend approval of the person's appointment if continuing approval of the appointment would be likely to have an adverse effect on the safety of air navigation.
- (2) In deciding whether continuing approval of a person's appointment would be likely to have an adverse effect on the safety of air navigation, CASA may take into account the matters mentioned in subregulation 173.175 (2).

- (3) The notice:
  - (a) must set out the reasons for the withdrawal or suspension; and
  - (b) in the case of a suspension, must specify the period of suspension or state when, or in what circumstances, it will end.
- (4) CASA must give a copy of the notice to the certified designer.
- (5) If CASA suspends approval of a person's appointment, the person must not carry out the functions of the appointment during the period of the suspension.
- (6) If CASA withdraws approval of a person's appointment:
  - (a) for the purposes of these Regulations, the appointment is taken to end; and
  - (b) the person must not continue to carry out the functions of the position to which the appointment relates.

#### **Division 173.B.4      Miscellaneous**

##### **173.195 Advice on organisational changes**

A certified designer must tell CASA, in writing, of a change of circumstances that materially affects its capacity to design a terminal instrument flight procedure under the designer's procedure design certificate, or engage in any design work on that procedure, within 7 days after the change occurs.

##### **173.200 Discontinuing design work on terminal instrument flight procedures of a particular type**

- (1) If a certified designer ceases to carry on design work on terminal instrument flight procedures of a particular type, the certified designer must give written notice to that effect to CASA, and, if any of the procedures are published in the AIP, the AIS, within 7 days after ceasing to carry on the design work concerned.

**Regulation 173.205**

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- (2) Subregulation (1) does not apply if, having regard to the certified designer's circumstances, it is not reasonably practicable for the designer to give CASA or, if applicable, the AIS, at least 7 days notice and the notice is given as soon as is reasonably practicable.

**173.205 Notifying the AIS of a variation to a procedure design certificate**

If a certified designer's procedure design certificate is varied under Subpart 173.E to exclude a particular type of terminal instrument flight procedure and the designer has given any procedures of that type to the AIS for publication in the AIP, the designer must give written notice to the AIS of the variation within 7 days after the day when the variation takes effect.

**173.210 Discontinuing maintenance of particular terminal instrument flight procedures**

- (1) If a certified designer ceases to be responsible for the maintenance of a terminal instrument flight procedure, the certified designer must give written notice to that effect to CASA and, if the procedure is published in the AIP, to the AIS, within 7 days after ceasing to have that responsibility.
- (2) Subregulation (1) does not apply if, having regard to the certified designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

**173.215 Transfer of maintenance responsibility**

- (1) A certified designer may transfer the designer's responsibility for maintaining a terminal instrument flight procedure under regulation 173.110 to another certified designer whose procedure design certificate authorises that designer to design terminal instrument flight procedures of the same type as the procedure concerned.

**Regulation 173.220**

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- (2) If a certified designer accepts responsibility for the maintenance of a terminal instrument flight procedure under this regulation, the designer:
  - (a) must give written notice to the transferor to that effect; and
  - (b) must give written notice of the transfer to CASA and, if the procedure is published in the AIP, to the AIS, within 14 days after the transfer.
- (3) A transfer takes effect on the day when the certified designer accepting responsibility for maintaining the procedure gives notice to the transferor under paragraph (2) (a) or, if a later day is specified in the notice, on the later day.
- (4) If a certified designer transfers the designer's responsibility for maintaining a terminal instrument flight procedure, the designer must give written notice of the transfer to CASA and, if the procedure is published in the AIP, to the AIS, within 14 days after the transfer.

## **Subpart 173.C Authorised designers**

### **Division 173.C.1 Authorisation as authorised designer**

*Note* In addition to the provisions of this Division, Part 11 contains provisions relating to an application for the grant of a procedure design authorisation.

#### **173.220 Applications for procedure design authorisations**

- (1) A person may apply to CASA, in writing, for a procedure design authorisation.

*Note* An application must be in the approved form, include all the information required by these Regulations and be accompanied by every document required by these Regulations — see regulation 11.030.
- (2) The application:
  - (b) must state:
    - (i) the applicant's name and address; or
    - (ii) if the applicant is incorporated by or under a law of the Commonwealth or of a State or Territory, the applicant's name, registered address and ACN and

**Regulation 173.225**

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the names and addresses of the people responsible for its management and control; and

- (c) must contain or be accompanied by:
  - (i) a written statement specifying the activity mentioned in subparagraph 173.030 (b) (i) or (ii) that is proposed to be authorised under the authorisation, including specifying the type or each type of terminal instrument flight procedure proposed to be covered by the authorisation; and
  - (ii) a written statement setting out the qualifications and relevant experience of each member of the applicant's personnel whose duties would, if the authorisation were granted to the applicant, include carrying on the design work concerned; and
- (d) must be accompanied by a copy of the operations manual under which the applicant proposes to carry on that activity.

*Note* Part 11 also contains provisions relating to an application for a procedure design authorisation.

**173.225 Criteria for grant of procedure design authorisations**

For regulation 173.335, a person who has applied for the grant of a procedure design authorisation must, if the authorisation is granted, be able to comply with the requirements of Division 173.C.2.

**173.240 How long procedure design authorisations remain in force**

A procedure design authorisation remains in force unless it is cancelled.

**173.245 Applications to vary procedure design authorisations**

An application to vary a procedure design authorisation must contain, or have with it, a copy of the proposed variation.

**Division 173.C.2 Requirements to be complied with by authorised designers**

**173.250 Operations manual**

- (1) An authorised designer must, at all times, maintain an operations manual that meets the standards set out in the Manual of Standards.
- (2) An authorised designer:
  - (a) must keep the manual in a readily accessible form; and
  - (b) must ensure that each employee of the designer whose duties include carrying on design work authorised by the designer's procedure design authorisation has ready access to the manual; and
  - (c) must amend the manual whenever it is necessary to do so to keep it in an up-to-date form.
- (3) An authorised designer must ensure:
  - (a) that all amendments of the manual are incorporated in all copies of the manual kept by the designer; and
  - (b) that copies of the amendments are given to CASA.

**173.255 Compliance with operations manual**

An authorised designer must, in carrying on the activity authorised by the designer's procedure design authorisation, comply with the designer's operations manual.

**173.260 Standards for design of terminal instrument flight procedures etc**

- (1) An authorised designer designing a terminal instrument flight procedure under the authorised designer's procedure design authorisation must ensure that the procedure is designed in accordance with:
  - (a) any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); and
  - (b) any applicable standards set out in the Manual of Standards.

**Regulation 173.265**

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- (2) If, apart from this subregulation, an authorised designer would be required to ensure that a terminal instrument flight procedure is designed in accordance with a standard set out or referred to in the ICAO Doc. 8168 (PANS-OPS) and a standard set out in the Manual of Standards, and it is not possible to comply with both standards, the designer is only required to ensure that the procedure is designed in accordance with the Manual of Standards.

**173.265 Off-shore installations**

- (1) This regulation applies to an authorised designer who is authorised to carry on design work on a terminal instrument flight procedure that:
  - (a) is of a type covered by the authorisation; and
  - (b) is for use by Australian aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.
- (2) The authorised designer must ensure that a copy of each terminal instrument flight procedure designed under the designer's procedure design authorisation is given to CASA.
- (3) The authorised designer must ensure that a terminal instrument flight procedure designed under the designer's procedure design authorisation does not require the use of a ground-based radio-navigation aid other than one that is operated and maintained by a person certificated to do so under Part 171.

**173.270 Maintenance of terminal instrument flight procedures**

- (1) Subject to subregulation (2), an authorised designer is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Manual of Standards, a terminal instrument flight procedure designed under the designer's procedure design authorisation or a terminal instrument flight procedure for which that responsibility is transferred to the authorised designer under regulation 173.305.



**Regulation 173.275**

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- (2) The authorised designer ceases to be responsible for the maintenance of the procedure:
- (a) if the authorised designer has notified CASA, under regulation 173.300, that the designer has ceased to have that responsibility:
    - (i) on the day when the notice is given; or
    - (ii) if a later day is specified in the notice — on the later day; or
  - (b) if the authorised designer's responsibility for the maintenance of the procedure is transferred to a certified designer or another authorised designer under regulation 173.305 — on the day when the responsibility is transferred; or
  - (c) if the authorised designer has notified CASA, under regulation 173.295, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
    - (i) on the day when the notice is given; or
    - (ii) if a later day is specified in the notice — on the later day; or
  - (d) if the authorised designer's procedure design authorisation is varied under Subpart 173.E to exclude that type of procedure — on the day when the authorisation is varied; or
  - (e) if the authorised designer ceases to be an authorised designer — on the day when the designer ceases to be an authorised designer.

**173.275 Authorised designer to have sufficient personnel**

An authorised designer:

- (a) must employ a sufficient number of personnel to enable the designer to carry on the activity authorised by the designer's procedure design authorisation in accordance with these Regulations; and
- (b) must ensure that those personnel:
  - (i) are suitably qualified and competent to perform their duties; and

**Regulation 173.280**

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- (ii) are trained in accordance with the Manual of Standards and the designer's operations manual.

**173.280 Authorised designer to maintain reference materials**

- (1) An authorised designer must maintain reference materials of the kinds specified in the Manual of Standards.
- (2) An authorised designer must keep the reference materials up-to-date and in a readily accessible form.
- (3) Each employee of the authorised designer whose duties include carrying on design work that is authorised under the designer's procedure design authorisation must have ready access to the reference materials.

**173.285 Authorised designer to keep documents and records**

- (1) An authorised designer must keep documents and records of the kinds specified in the Manual of Standards.
- (2) A document or record must be retained for as long as the Manual of Standards specifies for the particular kind of document or record.
- (3) The designer must, at CASA's request, make the documents and records, or copies of them or extracts from them, available for inspection by CASA.

**173.290 Authorised designer to have document and record control system**

- (1) An authorised designer must establish, and put into effect, a system for controlling documents and records relating to the activity authorised under the authorised designer's procedure design authorisation, including the policies and procedures for making, amending, preserving and disposing of those documents and records.
- (2) The system must be in accordance with the standards set out in the Manual of Standards.

- (3) The documents and records must include the documents and records required to be kept under this Division.

### **Division 173.C.3      Miscellaneous**

#### **173.295 Discontinuing design work on terminal instrument flight of a particular type**

- (1) If an authorised designer ceases to carry on design work on terminal instrument flight procedures of a particular type, the authorised designer must give written notice to CASA to that effect within 7 days after ceasing to carry on the design work concerned.
- (2) Subregulation (1) does not apply if, having regard to the authorised designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

#### **173.300 Discontinuing maintenance of terminal instrument flight procedures**

- (1) If an authorised designer ceases to be responsible for the maintenance of a terminal instrument flight procedure, the authorised designer must give written notice to CASA to that effect within 7 days after ceasing to have that responsibility.
- (2) Subregulation (1) does not apply if, having regard to the authorised designer's circumstances, it is not reasonably practicable for the designer to give CASA at least 7 days notice and the notice is given as soon as is reasonably practicable.

#### **173.305 Transfer of maintenance responsibility**

- (1) An authorised designer may transfer the designer's responsibility for maintaining a terminal instrument flight procedure under regulation 173.270:
  - (a) to a certified designer whose procedure design certificate authorises that designer to design terminal instrument flight procedures of the same type as the procedure concerned; or

**Regulation 173.310**

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- (b) to another authorised designer whose procedure design authorisation authorises that designer to design such a terminal instrument flight procedure.
- (2) If a certified designer or an authorised designer accepts responsibility for the maintenance of a terminal instrument flight procedure under this regulation, the designer:
  - (a) must give written notice to the transferor to that effect; and
  - (b) must give written notice of the transfer to CASA within 14 days after the transfer.
- (3) A transfer takes effect on the day when the certified designer or authorised designer accepting responsibility for maintaining the procedure gives notice to the transferor under subregulation (2) or, if a later day is specified in the notice, on the later day.
- (4) If an authorised designer transfers the designer's responsibility for maintaining a terminal instrument flight procedure, the designer must give written notice of the transfer to CASA within 14 days after the transfer.

**Subpart 173.D Performance of design work**

**173.310 Certified designer not to exceed the limitations of the designer's procedure design certificate**

A certified designer must not carry on design work on a terminal instrument flight procedure that is not of a type covered by the designer's procedure design certificate.

**173.315 Authorised designer not to exceed the limitations of authorisation**

A authorised designer must not carry on an activity mentioned in paragraph 173.030 (b) (i) or (ii) unless that activity is authorised by the designer's procedure design authorisation.

## **Subpart 173.E      Administration**

### **Division 173.E.1      Grant of procedure design certificates and procedure design authorisations**

*Note* In addition to the provisions of this Division, Part 11 contains provisions relating to the grant of a procedure design certificate or procedure design authorisation.

#### **173.330 CASA may require demonstrations of equipment etc**

Regulation 11.045 applies in relation to a procedure design certificate or procedure design authorisation.

#### **173.335 Grant of procedure design certificate or procedure design authorisation**

Subject to regulation 11.055, if an applicant has applied for the grant of a procedure design certificate or procedure design authorisation under this Part, CASA must grant the certificate or authorisation.

*Note* Under regulation 201.004, an application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to issue or grant, or cancelling, suspending or varying, a certificate or authorisation; or
- (b) a decision imposing a condition on a certificate or authorisation.

See also section 31 of the Act.

#### **173.345 CASA may grant certificate or authorisation subject to conditions**

- (2) Without limiting regulation 11.056, CASA may grant a procedure design certificate or procedure design authorisation subject to a condition requiring its holder to permit an authorised inspector (within the meaning given by Division 173.E.5) to exercise the powers of an authorised inspector under that Division in relation to the certificate or authorisation.

**Regulation 173.350**

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- (3) However, such a condition is not taken to require the holder to permit the exercise of those powers:
  - (a) unless the inspector first shows his or her identity card to the holder, or another person on behalf of the holder, if asked to do so by the holder or other person; or
  - (b) at a time other than during normal business hours.
- (4) Such a condition is not taken to authorise the inspector to use force to any extent in exercising those powers.

**173.350 When decision must be made**

- (1) If CASA does not make a decision about an application under this Part within 6 months after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation 11.035, 11.040 or 11.045, the time between when CASA makes the request, and when the applicant conducts the demonstration, attends the interview, or gives CASA the information or copy requested, does not count towards the period.
- (2A) Also, if CASA asks an applicant to make a statutory declaration under regulation 11.047 or subregulation 11.050 (3A), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (3) Also, if CASA invites an applicant to make a written submission under subregulation 11.050 (2), the time between when CASA gives the invitation and when the applicant makes the submission does not count towards the period.
- (4) In this regulation:  
*application* includes an application to vary a procedure design certificate or procedure design authorisation.

**Division 173.E.3      Directions to amend certified designer's  
or authorised designer's operations  
manual**

**173.375 CASA may direct amendments to designer's  
operations manual**

- (1) If necessary in the interests of the safety of air navigation, CASA may, in writing, direct a certified designer or an authorised designer, within a reasonable period specified in the direction, to amend the designer's operations manual by:
  - (a) including in the manual the information or other things set out or described in the direction; or
  - (b) altering the information or other things in the manual in the manner set out in the direction.
- (2) CASA may extend the period by written notice, before or after the end of the period referred to in subregulation (1).

**Division 173.E.4      Suspension and cancellation of  
procedure design certificates and  
procedure design authorisations**

**173.380 Suspension or cancellation of procedure design  
certificate or procedure design authorisation by  
CASA**

- (1) CASA may, by written notice given to a certified designer or authorised designer, suspend or cancel the designer's procedure design certificate or procedure design authorisation if there are reasonable grounds for believing that the designer:
  - (a) has breached a condition of the certificate or authorisation;  
or
  - (b) has contravened a provision of this Part; or
  - (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate or authorisation;  
or

**Regulation 173.390**

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- (d) has otherwise been guilty of conduct that renders the designer's continued holding of the certificate or authorisation likely to have an adverse effect on the safety of air navigation.
- (2) Before suspending or cancelling a certified designer's procedure design certificate or an authorised designer's procedure design authorisation, CASA:
  - (a) must give written notice to the designer of the facts or circumstances that, in the opinion of CASA, amount to grounds for the suspension or cancellation of the certificate; and
  - (b) must invite the designer to show cause in writing, within 30 days after the date of the notice, why the certificate or authorisation should not be suspended or cancelled; and
  - (c) must take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the designer explaining why the certificate should not be cancelled.

*Note* Most decisions in relation to certificates and authorisations are reviewable by the Administrative Appeals Tribunal. See section 31 of the Act and regulation 201.4.

**Division 173.E.5 Authorised inspectors**

**173.390 CASA may appoint authorised inspectors**

- (1) The Director may, in writing, appoint an officer of CASA as an authorised inspector.
- (2) The instrument of appointment may:
  - (a) describe the premises and activities in relation to which the inspector may use his or her powers under regulation 173.400; and
  - (b) specify the duration of the appointment; and
  - (c) specify that the appointment is subject to 1 or more conditions.



**Regulation 173.400**

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**173.395 Identity card**

- (1) CASA must issue each authorised inspector with an identity card that includes a recent photograph of the inspector.
- (2) No more than 7 days after ceasing to be an authorised inspector, a person must return his or her identity card to CASA.

Penalty: 1 penalty unit.

- (3) An offence against subregulation (2) is an offence of strict liability.

**173.400 Powers of authorised inspector**

- (1) The powers that an authorised inspector may exercise are the powers to do any or all of the following:
  - (a) enter and inspect premises connected with, or used for the purposes of, design work that is carried on by, or for, a certified designer or authorised designer or where any documents or records relating to that work are kept;
  - (b) observe the practices and procedures of the certified designer or authorised designer (including the designer's employees) in carrying on design work under the designer's procedure design certificate or procedure design authorisation;
  - (c) inspect the designer's facilities used for, or in relation to, that work;
  - (d) inspect and test any systems and equipment used for, or in relation to, that work;
  - (e) inspect any documents or records maintained, or required to be kept under this Part, by the designer in relation to that work;
  - (f) make a copy of any document or record that the authorised inspector inspects.
- (2) However, an authorised inspector may exercise his or her powers only:
  - (a) at premises connected with, or used for the purposes of, design work that is carried on by, or for, a certified

**Regulation 173.400**

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- designer or authorised designer or where any documents or records relating to that work are kept; and
- (b) with the permission of the certified designer or authorised designer; and
  - (c) if the designer, or a person on behalf of the designer, so requests — after the designer or person has been shown the inspector's identity card; and
  - (d) during normal business hours; and
  - (e) to ensure that design work is being carried on in accordance with these Regulations.
- (3) The cost of any copying carried out for the purposes of paragraph (1) (f) must be met by CASA.

## **Part 200 Aircraft to which CASR do not apply**

**Note** This Part is made up as follows:

### **Subpart 200.B Exemption from Regulations**

- 200.001 Hang gliders
- 200.002 Privately built single-place ultralight aeroplanes
- 200.003 Gyroplanes having an empty weight not in excess of 250 kilograms
- 200.004 Two-place gyroplanes and single-place gyroplanes certificated as light sport aircraft
- 200.005 Parasails and gyrogliders
- 200.008 Defence Force aircraft operated by civilian flight crew
- 200.010 Military aircraft undergoing production or acceptance flight testing
- 200.013 Weight-shift-controlled aeroplanes and powered parachutes
- 200.014 Certain ultralight aeroplanes

### **Subpart 200.C Authorisation to fly**

- 200.020 Authorised flight without certificate of airworthiness

## **Subpart 200.B Exemption from Regulations**

### **200.001 Hang gliders**

- (1) A hang glider used:
  - (a) solely in private operations and only for recreational purposes; or
  - (b) for flying training for the issue of a pilot certificate; is exempt from CASR if the conditions in subsection 95.8 (4) of the Civil Aviation Orders, as in force from time to time, are complied with.
- (2) In this regulation:

*empty weight*, for a hang glider, means the weight of the hang glider in its airborne configuration, including all fittings and equipment but excluding recovery or personnel parachutes.

**Regulation 200.002**

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**hang glider** means a glider, or a powered paraglider, with an empty weight not over 70 kilograms.

**powered paraglider** means an aircraft without rigid wings that:

- (a) is launched by its pilot's feet; and
- (b) is powered by a power unit worn on its pilot's back.

**200.002 Privately built single-place ultralight aeroplanes**

- (1) This regulation applies to a privately built single-place aeroplane if it:
  - (a) is registered with the RAA; and
  - (b) has a take-off weight not over 300 kilograms; and
  - (c) for an aeroplane that first became registered with the RAA on or after 1 March 1990:
    - (i) has a wing loading not over 30 kilograms per square metre at maximum all-up weight; and
    - (ii) if it is owned by a person who is not its builder — has been certificated by the RAA as meeting the requirements set out in the RAA Technical Manual.
- (2) The aeroplane is exempt from CASR if the conditions in section 95.10 of the Civil Aviation Orders, as in force from time to time, are complied with.

- (3) In this regulation:

**RAA** means Recreational Aviation Australia Inc.

**RAA Technical Manual** means the manual prepared by RAA and approved by CASA, as in force from time to time, that contains:

- (a) airworthiness, design and maintenance standards; and
- (b) aeronautical practices, test procedures and processes.

**take-off weight**, for an aeroplane, means the aeroplane's total weight when it starts to taxi before taking-off, including the weight of the pilot and of fuel, oil, recovery and personnel parachutes, flotation equipment, items of optional equipment, tools and baggage.

**200.003 Gyroplanes having an empty weight not in excess of 250 kilograms**

An aircraft to which Civil Aviation Order 95.12, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

**200.004 Two-place gyroplanes and single-place gyroplanes certificated as light sport aircraft**

An aircraft to which Civil Aviation Order 95.12.1, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

**200.005 Parasails and gyrogliders**

- (1) A parasail or gyroglider is exempt from CASR if the conditions in subsection 95.14 (4) of the Civil Aviation Orders, as in force from time to time, are complied with.

- (2) In this regulation:

*gyroglider* means a non-power-driven heavier-than-air aircraft supported in flight by the reaction of the air on 1 or more rotors that rotate freely on substantially vertical axes.

*parasail* means a parachute tethered to a point or vehicle on the ground or to a watercraft and deriving lift chiefly from aerodynamic reactions on flexible surfaces remaining fixed under given conditions of flight.

**200.008 Defence Force aircraft operated by civilian flight crew**

- (1) This regulation applies to a Defence Force aircraft that is being flown and operated by persons, other than members of the Defence Force, who hold commercial or higher category licences, and that is engaged in:
  - (a) flight testing; or
  - (b) search and rescue; or
  - (c) support of aircraft development and flight test programs; or
  - (d) any other activity authorised by the Defence Force.

**Regulation 200.010**

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- (2) The aircraft is exempt from CASR if the conditions in subsection 95.20 (4) of the Civil Aviation Orders, as in force from time to time, are complied with.
- (3) In this regulation:  
*flight testing*, of an aircraft, means flying performed on behalf of the contractor or Defence Force to establish that the aircraft meets all the requirements of the contractor or Defence Force after manufacture or major servicing and inspection.

**200.010 Military aircraft undergoing production or acceptance flight testing**

- (1) A military aircraft that is undergoing production flight testing or acceptance flight testing is exempt from CAR, and from CASR (other than this regulation), if the conditions (if any) set out in the relevant section of Part 95 of the Civil Aviation Orders (as in force from time to time) are complied with.
- (2) In this regulation:  
*acceptance flight testing* of a military aircraft means flight testing on behalf of the Defence Force to find out whether the aircraft meets the Force's requirements.  
*production flight testing* of a military aircraft means flight testing on behalf of a contractor to find out whether the aircraft meets the contractor's requirements.  
*relevant section of Part 95 of the Civil Aviation Orders*, in relation to a military aircraft of a particular type, means the section of that Part that applies to aircraft of that type.

**200.013 Weight-shift-controlled aeroplanes and powered parachutes**

An aeroplane to which Civil Aviation Order 95.32, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

**200.014 Certain ultralight aeroplanes**

An aeroplane to which Civil Aviation Order 95.55, as in force from time to time, applies is exempt from CASR if the conditions in that Order are satisfied.

**Subpart 200.C Authorisation to fly**

**200.020 Authorised flight without certificate of airworthiness**

For paragraph 20AA (3) (b) of the Act, an Australian aircraft that is exempt from CASR is authorised to fly without a certificate of airworthiness.

**Regulation 201.001**

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**Part 201                      Miscellaneous****Note** *This Part is made up as follows:*

|         |   |
|---------|---|
| 201.001 | Appointment of authorised persons                 |
| 201.003 | Commonwealth and CASA not liable in certain cases |
| 201.004 | Review of decisions                               |
| 201.005 | Notice of change of name or trading name          |
| 201.010 | Notice of change of nationality                   |
| 201.016 | Disclosure of personal information                |
| 201.020 | Service of documents                              |

**201.001 Appointment of authorised persons**

- (1) CASA may appoint a person, or the persons included in a class of persons, to be an authorised person for CASR or a particular provision of CASR.
- (2) CASA may appoint a person only if CASA is satisfied that the person has the qualifications and experience to be an authorised person.
- (3) CASA may appoint a class of persons only if CASA is satisfied that each person included in the class has the qualifications and experience to be an authorised person.
- (4) An appointment may be made subject to conditions stated in the instrument of appointment.

**201.003 Commonwealth and CASA not liable in certain cases**

Neither the Commonwealth nor CASA is liable in negligence or otherwise for any loss or damage incurred by anyone because of, or arising out of, the design, construction, restoration, repair, maintenance or operation of a limited category aircraft or an experimental aircraft, or any act or omission of CASA done or made in good faith in relation to any of those things.



**Regulation 201.004**

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**201.004 Review of decisions**

An application may be made to the Administrative Appeals Tribunal for review of:

- (a) a decision refusing to grant or issue, or cancelling, suspending or varying, an authorisation, within the meaning given by Part 11; or
- (b) a decision imposing a condition on, or varying a condition of, an authorisation, within the meaning given by Part 11; or
- (ba) a decision refusing to grant an exemption under Division 11.F.1 or 11.F.2; or
- (c) a decision under regulation 21.043 not to consider an application; or
- (d) a decision refusing to grant a request made under subregulation 39.004 (1) for an instrument of approval or exclusion under subregulation 39.004 (2); or
- (da) a decision refusing to grant a request made under regulation 39.006; or
- (e) a decision under regulation 21.855 to refuse approval to remove or alter information on a critical part; or
- (f) a decision under regulation 21.870 that it is impractical to mark information on a part; or
- (g) a decision under subregulation 45.090 (1) to refuse approval to place a design, mark or symbol on an aircraft; or
- (h) a decision under subregulation 45.105 (2) directing where to place an aircraft's markings, or refusing to give such a direction; or
- (i) a decision under subregulation 45.150 (3) directing where to place an aircraft's aircraft registration identification plate, or refusing to give such a direction; or
- (j) a decision under regulation 45.155 refusing approval to remove an aircraft's aircraft registration identification plate, or remove or alter a marking on such a plate; or
- (k) a decision to cancel the registration of an aircraft; and
- (l) a decision under regulation 47.175 to assign fewer dealer's marks to a dealer than were applied for; and

**Regulation 201.004**

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- (m) a decision under Subpart 67.C:
  - (i) to refuse to appoint a person as a DAME or DAO; or
  - (iv) to cancel, for a reason mentioned in subregulation 67.095 (1), the appointment of a person as a DAME or DAO; or
- (ma) a decision under regulation 90.010 refusing to exclude an aircraft or aeronautical product from the operation of a provision of Part 90; or
- (na) a decision under subregulation 137.040 (1) to refuse to approve a standard operations manual; or
- (nb) a decision under subregulation 137.045 (6) to refuse to accept:
  - (i) an application for an AOC submitted later than required under subregulation 137.045 (1); or
  - (ii) a manual or schedule of differences that is submitted later than required under subregulation 137.045 (4); or
  - (iii) an application for the variation of an AOC submitted later than required under subregulation 137.045 (5); or
- (nc) a decision under subregulation 137.050 (1) to refuse to approve an application for an AOC or a variation of an AOC; or
- (nd) a decision under subregulation 137.080 (3) to refuse to approve a proposed amendment to an operations manual; or
- (ne) a decision under subregulation 137.085 (3) to refuse to approve a proposed amendment to a standard operations manual; or
- (nf) a decision under subregulation 137.090 (3) to refuse to approve a proposed amendment to a schedule of differences.
- (p) a direction given by CASA under regulation 139.145; or
- (pa) a decision under regulation 139.252 to designate, or not to designate, an aerodrome as an aerodrome to which A-SMGCS applies; or

**Regulation 201.005**

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- (q) a decision under Subpart 139.C refusing to register, or suspending or cancelling the registration of, an aerodrome; or
- (r) a determination under regulation 202.343 or 202.344 that CASA would not have issued an aircraft maintenance engineer licence (within the meaning given by regulation 202.340) to a person; or
- (s) a determination under regulation 202.345 that CASA would not have issued a CAO 100.66 maintenance authority (within the meaning given by regulation 202.340) to a person.

*Note* Section 27A of the *Administrative Appeals Tribunal Act 1975* requires a person who makes a reviewable decision to give a person whose interests are affected by the decision notice of the making of the decision and of the person's right to have the notice reviewed.

**201.005 Notice of change of name or trading name**

- (1) In this regulation:  
*authorisation* has the same meaning as in Part 11.
- (2) A person is guilty of an offence if the person:
  - (a) is the holder of an authorisation; and
  - (b) changes his, her or its name; and
  - (c) does not tell CASA in writing of the change within 14 days.

Penalty: 5 penalty units.

*Note* Giving notice of a change of name is also a condition of the authorisation — see regulation 11.070.

- (3) A person is guilty of an offence if the person:
  - (a) is the holder of an authorisation; and
  - (b) uses the authorisation in connection with an aviation-related activity of a business; and
  - (c) carries on the business under a name that is registered as a trading or business name under the law of a State or Territory; and
  - (d) changes that name, ceases to use that name, or begins to use another name; and

**Regulation 201.010**

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(e) does not tell CASA in writing of the change within 14 days.

Penalty: 5 penalty units.

(4) Strict liability applies to paragraphs (2) (c) and (3) (e).

**201.010 Notice of change of nationality**

(1) In this regulation:

*authorisation* has the same meaning as in Part 11.

(2) A person is guilty of an offence if the person:

(a) is the holder of an authorisation on which is noted his or her nationality; and

(b) changes his or her nationality; and

(c) does not tell CASA in writing of the change within 14 days.

Penalty: 5 penalty units.

*Note* Giving notice of a change of nationality is also a condition of the authorisation — see regulation 11.070.

(3) Strict liability applies to paragraph (2) (c).

**201.016 Disclosure of personal information**

(1) CASA may, in the circumstances set out in this regulation, disclose personal information (within the meaning given by the *Privacy Act 1988*) that is in CASA's possession or under its control.

(2) The information is the following about an individual who holds a civil aviation authorisation:

(a) the person's name;

(b) the person's ARN (if any);

(c) the person's address;

(d) the person's telephone number;

**Regulation 201.020**

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- (e) details of each civil aviation authorisation and any medical certificate that the person holds.
- (3) If it is necessary for the safety of air navigation, CASA may disclose the information mentioned in any paragraph of subregulation (2) to:
  - (a) a person providing an air traffic service (within the meaning given in Part 172) in Australian territory; or
  - (b) a person carrying out search and rescue operations in Australian territory.

**201.020 Service of documents**

Despite section 28A of the *Acts Interpretation Act 1901*, service may be effected on CASA only at its principal office at:

16 Furzer Street  
Phillip ACT 2606

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## Part 202 Transitional

**Note** *This Part is made up as follows:*

**Subpart 202.AB Transitional provisions for Part 1 (Preliminary)**

**Subpart 202.AD Transitional provisions for Part 11 (Regulatory administrative procedures)**

- 202.010 Continuation of certain existing delegations
- 202.011 Continuation of exemptions under regulation 308 of CAR  
202.011A Continuation of exemptions under subregulation 82 (3) of CAR
- 202.011B Continuation of exemptions under subregulation 235 (11) of CAR
- 202.011C Continuation of exemptions under regulation 92.080
- 202.011D Continuation of exemptions under regulation 92.155
- 202.011E Continuation of exemptions under regulation 101.040
- 202.011F Continuation of exemptions under regulation 139.020
- 202.011G Renewal, variation and revocation of exemptions
- 202.012 Consultation on certain Manuals of Standards
- 202.013 Delegations to persons other than officers

**Subpart 202.AF Transitional provisions for Part 13 (Enforcement)**

**Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)**

**Division 202.AJ.1 Transitional provisions relating to certification of aircraft and aircraft components**

- 202.049A Certain design standards taken to be applicable airworthiness standards for regulation 21.017
- 202.050 Certificates of type approval
- 202.051 Certificates of airworthiness
- 202.052 Export certificate of airworthiness

**Division 202.AJ.2 Transitional provisions relating to approvals of designs of modifications and repairs**

- 202.053 Approvals of systems of certification under regulation 34 of CAR
- 202.054 Approvals of designs of modifications and repairs under regulation 35 of CAR
- 202.055 Approvals of aircraft components for use as replacements under regulation 36 of CAR
- 202.056 Use of aircraft material for particular purposes under regulation 36A of CAR

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- 202.057 Approval of damage as permissible unserviceability under regulation 37 of CAR
- 202.058 Approval of changes to flight manuals under regulations 55 and 55A of CAR
- Division 202.AJ.3 Transitional provisions relating to authorised persons**
- 202.059 Authorised persons for regulations
- Subpart 202.AK Transitional provisions for Part 22 (Airworthiness standards for sailplanes and powered sailplanes)**
- 202.060 Approvals under airworthiness instruments in force before 1 July 2009
- Subpart 202.AL Transitional provisions for Part 23 (Airworthiness standards for aeroplanes in the normal, utility, acrobatic or commuter category)**
- 202.070 Approvals under airworthiness instruments in force before 1 July 2009
- Subpart 202.AN Transitional provisions for Part 25 (Airworthiness standards for aeroplanes in the transport category)**
- 202.090 Approvals under airworthiness instruments in force before 1 July 2009
- Subpart 202.AO Transitional provisions for Part 26 (Airworthiness standards for aircraft in the primary category or intermediate category)**
- Subpart 202.AP Transitional provisions for Part 27 (Airworthiness standards for rotorcraft in the normal category)**
- Subpart 202.AR Transitional provisions for Part 29 (Airworthiness standards for rotorcraft in the transport category)**
- Subpart 202.AT Transitional provisions for Part 31 (Airworthiness standards for manned free balloons)**
- Subpart 202.AU Transitional provisions for Part 32 (Airworthiness standards for engines for very light aeroplanes)**
- 202.140 Approvals under airworthiness instruments in force before 1 July 2009
- Subpart 202.AV Transitional provisions for Part 33 (Airworthiness standards for aircraft engines)**
- Subpart 202.AX Transitional provisions for Part 35 (Airworthiness standards for aircraft propellers)**
- Subpart 202.AZ Transitional provisions for Part 39 (Airworthiness directives)**
- 202.170 Airworthiness directives
- 202.171 Application for exemption from, or variation of, requirement of airworthiness directive
- 202.172 Exemption from requirement of airworthiness directive

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**Subpart 202.BA Transitional provisions for Part 42 (Continuing airworthiness requirements for aircraft and aeronautical products)**

- 202.180 Application of Part 42 from 27 June 2011 until the end of 26 June 2013
- 202.181 Application of Part 42 on and after 27 June 2013
- 202.182 Certificates of release to service taken to include maintenance releases (paragraph 42.030 (2) (b))
- 202.183 Application of subparagraph 42.030 (2) (c) (ii) (airworthiness review certificates) to existing and new aircraft
- 202.184 References to persons permitted to carry out maintenance (regulations 42.080 and 42.430)
- 202.185 Approved maintenance programs taken to include approved systems of maintenance
- 202.186 Approved reliability programs taken to include reliability programs included in approved systems of maintenance
- 202.187 References to deferral of rectification of defects and recording of defects
- 202.188 References to authorised release certificates (subparagraphs 42.420 (5) (a) (i) and (b) (i))
- 202.189 In-house release documents taken to include equivalent documents (subparagraph 42.420 (5) (b) (ii))
- 202.190 References to fabrication of parts (regulation 42.435)
- 202.191 Maintenance certification taken to include certification of completion of maintenance (paragraph 42.745 (c))
- 202.192 Maintenance certification and certificates of release to service taken to include maintenance releases (paragraph 42.900 (2) (i))
- 202.193 Reference to maintenance carried out in accordance with Part 42 (subparagraph 42.795 (c) (i))
- 202.194 CASA may direct making of applications under regulation 42.585

**Subpart 202.BD Transitional provisions for Part 45 (Display of nationality and registration marks)**

- 202.200 Australian aircraft marked in accordance with CAR

**Subpart 202.BF Transitional provisions for Part 47 (Registration of aircraft and related matters)**

- 202.220 Definitions for Subpart 202.BF
- 202.221 Continuation of Aircraft Register
- 202.222 Reference to *holder of a certificate of registration*
- 202.223 Registration under CAR to continue
- 202.224 Pending applications or notices



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- 202.225 Application to register aircraft under Part 47
- Subpart 202.CA Transitional provisions for Part 60 (Synthetic training devices)**
- 202.240 Definitions for this Subpart
- 202.241 Transitional accreditation — flight simulators
- Subpart 202.CB Transitional provisions for Part 61 (Pilot licensing)**
- Subpart 202.CD Transitional provisions for Part 63 (Flight crew licensing other than pilots)**
- Subpart 202.CE Transitional provisions for Part 64 (Ground authorisations)**
- Subpart 202.CF Transitional provisions for Part 65 (Air traffic services licensing)**
- 202.320 Manual of Standards for Part 65
- 202.321 Persons holding certain licences
- Subpart 202.CG Transitional provisions for Part 66 (Continuing airworthiness — aircraft engineer licences and ratings)**
- 202.340 Definitions for Subpart
- 202.341 Aircraft maintenance engineer licences and CAO 100.66 maintenance authorities held on 26 June 2011
- 202.342 Aircraft maintenance engineer licences that were suspended on 26 June 2011
- 202.343 Applications for aircraft maintenance engineer licences made but not finally determined before 27 June 2011
- 202.344 Applications for aircraft maintenance engineer licences made on or after 27 June 2011
- 202.345 Applications for CAO 100.66 maintenance authorities made but not finally determined before 27 June 2011
- 202.346 Having regard to other airworthiness authorities in granting aircraft engineer licences
- 202.347 Medically significant conditions
- Subpart 202.CH Transitional provisions for Part 67 (Medical)**
- 202.360 Medical certificates issued under *Civil Aviation Regulations 1988*
- 202.361 Designated aviation medical examiners appointed under *Civil Aviation Regulations 1988*
- 202.362 Actions by Director of Aviation Medicine
- 202.363 Applications for issue of medical certificates pending on 3 September 2003

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- Subpart 202.DA Transitional provisions for Part 71 (Airspace)**
  - Subpart 202.EA Transitional provisions for Part 90 (Additional airworthiness requirements)**
  - Subpart 202.EB Transitional provisions for Part 91 (General operating and flight rules)**
  - Subpart 202.EC Transitional provisions for Part 92 (Consignment and carriage of dangerous goods by air)**
    - 202.440 Approval of certain training courses and instructors
  - Subpart 202.FA Transitional provisions for Part 101 (Unmanned aircraft and rocket)**
    - 202.460 Authorisations, permissions and approvals in force immediately before 1 July 2002
  - Subpart 202.FC Transitional provisions for Part 103 (Sport and recreational aviation operations)**
  - Subpart 202.FE Transitional provisions for Part 105 (Sport and recreational parachuting from aircraft)**
  - Subpart 202.FJ Transitional provisions for Part 115 (Operations using sport aviation aircraft for non-recreational activities)**
  - Subpart 202.FL Transitional provisions for Part 119 (Air operator certification — air transport)**
  - Subpart 202.FN Transitional provisions for Part 121A (Air transport operations — large aeroplanes)**
  - Subpart 202.FO Transitional provisions for Part 121B (Air transport operations — small aeroplanes)**
  - Subpart 202.FR Transitional provisions for Part 129 (Air operator certification — foreign operators)**
  - Subpart 202.FT Transitional provisions for Part 133 (Air transport and aerial work operations — rotorcraft)**
  - Subpart 202.FV Transitional provisions for Part 136 (Aerial work operations — other than those covered by Parts 133, 137, 138, 141 and 142)**
  - Subpart 202.FW Transitional provisions for Part 137 (Aerial agriculture operations — other than rotorcraft)**
  - Subpart 202.FX Transitional provisions for Part 138 (Search and rescue operations)**
  - Subpart 202.FY Transitional provisions for Part 139 (Aerodromes)**
    - 202.700 Definitions for this Subpart
    - 202.701 Aerodrome licences issued under CAR
    - 202.702 Conditions of transitional aerodrome licences

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- 202.703 Duration of transitional aerodrome licences
- 202.704 Previous aerodrome manuals and standards for aerodromes
- 202.705 Exemptions
- Subpart 202.FYH Transitional provisions for Subpart 139.H (Aerodrome rescue and fire fighting services)**
- 202.710 Manual of Standards for Subpart 139.H
- Subpart 202.GA Transitional provisions for Part 141 (Flight training organisations)**
- Subpart 202.GB Transitional provisions for Part 142 (Training and checking organisations)**
- Subpart 202.GC Transitional provisions for Part 143 (Air traffic services training providers)**
- 202.760 Manual of Standards for Part 143
- Subpart 202.GD Transitional provisions for Part 144 (Product distribution organisations)**
- Subpart 202.GE Transitional provisions for Part 145 (Continuing airworthiness — Part 145 approved maintenance organisations)**
- 202.800 CASA may direct making of applications under regulation 145.025
- Subpart 202.GG Transitional provisions for Part 147 (Continuing airworthiness — maintenance training organisations)**
- 202.840 Recognised organisations taken to be maintenance training organisations
- 202.841 Applications for approval as a recognised organisation made but not finally determined before 27 June 2011
- 202.842 CASA may direct the making of applications under regulation 147.025
- Subpart 202.GI Transitional provisions for Part 149 (Recreational aviation administration organisations)**
- Subpart 202.HA Transitional provisions for Part 171 (Aeronautical telecommunication service and radionavigation service providers)**
- 202.880 Manual of Standards for Part 171
- Subpart 202.HB Transitional provisions for Part 172 (Air traffic service providers)**
- 202.900 Manual of Standards for Part 172
- Subpart 202.HC Transitional provisions for Part 173 (Instrument flight procedure design)**

**Regulation 202.010**

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**Subpart 202.HD Transitional provisions for Part 174 (Aviation meteorological services)**

**Subpart 202.HL Transitional provisions for Part 200 (Exemptions)**

**Subpart 202.HM Transitional provisions for Part 201 (Miscellaneous)**

**Subpart 202.AB Transitional provisions for Part 1 (Preliminary)**

*Note* This Subpart heading is reserved for future use.

**Subpart 202.AD Transitional provisions for Part 11 (Regulatory administrative procedures)**

**202.010 Continuation of certain existing delegations**

- (1) Despite any amendment of regulation 7 of CAR that has the effect of preventing any delegation under it of a power or function under CASR, a delegation, under that regulation, of such a power or function continues to have effect according to its terms (including any condition imposed on such a delegation).
- (1A) Despite the repeal of regulation 7 of CAR, a delegation under that regulation of a power or function under CAR, being a delegation that was in force immediately before 27 June 2011, continues to have effect on and after 27 June 2011 according to its terms (including any condition imposed on such a delegation).
- (2) Despite any repeal of regulation 201.002, a delegation made under that regulation continues to have effect according to its terms (including any condition imposed on such a delegation).
- (3) A delegation referred to in subregulation (1), (1A) or (2) continues to be subject to any direction given by the Director under subregulation 7(3) of CAR, or subregulation 201.002(3), as the case may be.
- (4) CASA may revoke a delegation mentioned in this regulation.

- (5) CASA may impose, vary or remove a condition on a delegation mentioned in this regulation.

**202.011 Continuation of exemptions under regulation 308 of CAR**

- (1) Despite anything in Subpart 11.F, an exemption from compliance with a provision of CASR issued under regulation 308 of CAR continues to have effect according to its terms.
- (2) Despite the repeal of regulation 308 of CAR, an exemption from compliance with a provision of CAR, being an exemption that was in force under that regulation immediately before 27 June 2011, continues in force, on and after 27 June 2011, according to its terms.
- (3) If:
- (a) before 27 June 2011, a person asked CASA for an exemption under regulation 308 of CAR; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;
- the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011A Continuation of exemptions under subregulation 82 (3) of CAR**

- (1) Despite the repeal of subregulation 82 (3) of CAR, an exemption that was in force under that subregulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.
- (2) If:
- (a) before 27 June 2011, a person asked CASA for an exemption under subregulation 82 (3) of CAR; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;
- the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**Regulation 202.011B**

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**202.011B Continuation of exemptions under subregulation 235 (11) of CAR**

- (1) Despite the repeal of subregulation 235 (11) of CAR, an exemption that was in force under that subregulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.
- (2) If:
  - (a) before 27 June 2011, a person asked CASA for an exemption under subregulation 235 (11) of CAR; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011C Continuation of exemptions under regulation 92.080**

- (1) Despite the repeal of regulation 92.080, an exclusion that was in force under that regulation immediately before 27 June 2011 continues to have effect, on and after 27 June 2011, according to its terms.
- (2) If:
  - (a) before 27 June 2011, a person applied for an exclusion under regulation 92.080; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exclusion;the application is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011D Continuation of exemptions under regulation 92.155**

- (1) Despite the repeal of regulation 92.155, an exclusion that was in force under that regulation immediately before 27 June 2011 has effect, on and after 27 June 2011, according to its terms.

**Regulation 202.011F**

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- (2) If:
- (a) before 27 June 2011, a person applied for an exclusion under regulation 92.155; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exclusion;
- the application is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011E Continuation of exemptions under regulation 101.040**

- (1) Despite the repeal of regulation 101.040, an exemption that was in force under that regulation immediately before 27 June 2011 has effect, on and after 27 June 2011, according to its terms.
- (2) If:
- (a) before 27 June 2011, a person asked CASA for an exemption under regulation 101.040; and
  - (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;
- the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011F Continuation of exemptions under regulation 139.020**

- (1) Despite the repeal of regulation 139.020, an exemption that was in force under that regulation immediately before 27 June 2011, including an exemption that was in force as a result of the application of regulation 202.705, has effect, on and after 27 June 2011, according to its terms.
- (2) If:
- (a) before 27 June 2011, a person asked CASA for an exemption under regulation 139.020; and

**Regulation 202.011G**

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- (b) CASA did not, before 27 June 2011, decide whether or not to grant the exemption;

the request is taken, on and after 27 June 2011, to be an application under regulation 11.165 for an exemption under Division 11.F.1.

**202.011G Renewal, variation and revocation of exemptions**

- (1) An exemption or exclusion mentioned in any of regulations 202.011 to 202.011F may be varied or revoked under Subpart 11.F as if it were an exemption granted under Division 11.F.1.
- (2) For regulation 11.175, an exemption or exclusion that has effect under any of regulations 202.011 to 202.011F is taken to be an exemption previously granted under Division 11.F.1.

**202.012 Consultation on certain Manuals of Standards**

- (1) In this regulation:  
*MOS* has the same meaning as in Subpart 11.J.
- (2) If before this regulation commenced CASA had undertaken consultation on a *MOS*, being consultation that would have satisfied the requirements of Subpart 11.J if that Subpart had been in force, that Subpart does not require CASA to repeat that consultation.

**202.013 Delegations to persons other than officers**

Despite the amendment of regulation 11.260 that commenced on 27 June 2011 limiting the Director's power to delegate a power of CASA under these Regulations to a person other than an officer:

- (a) a delegation to a person other than an officer that was in force immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
- (b) CASA may revoke such a delegation, in whole or in part, as if regulation 11.260 had not been amended.



## **Subpart 202.AF Transitional provisions for Part 13 (Enforcement)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.030 to 202.049 are reserved for use in this Subpart.

## **Subpart 202.AJ Transitional provisions for Part 21 (Certification and airworthiness requirements for aircraft and parts)**

### **Division 202.AJ.1 Transitional provisions relating to certification of aircraft and aircraft components**

#### **202.049A Certain design standards taken to be applicable airworthiness standards for regulation 21.017**

- (1) A design standard for an aircraft:
  - (a) that was issued under regulation 21 of CAR; and
  - (b) that was in force immediately before 27 June 2011; is taken, on and after 27 June 2011, to be an applicable airworthiness standard for the aircraft for regulation 21.017.
- (2) A design standard for an aircraft component:
  - (a) that was issued under regulation 21A of CAR; and
  - (b) that was in force immediately before 27 June 2011; is taken, on and after 27 June 2011, to be an applicable airworthiness standard for the aircraft component for regulation 21.017.

#### **202.050 Certificates of type approval**

- (1) A certificate of type approval for an aircraft, or an aircraft engine or a propeller, that was, immediately before 1 October 1998, in force under regulation 22 of CAR 1988 as then in force continues in force on and after that date as if it were a type certificate issued under regulation 21.013A or 21.029.

**Regulation 202.051**

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- (2) A certificate of type approval for an aircraft that was, immediately before 1 October 1998, in force under regulation 22A of CAR 1988 as then in force continues in force on and after that date as if it were a type acceptance certificate issued under regulation 21.029A.
- (3) A certificate of type approval continued in force under this regulation remains subject to any condition to which it was subject immediately before 1 October 1998.

**202.051 Certificates of airworthiness**

- (1) A certificate of airworthiness that was, immediately before 1 October 1998, in force under regulation 24 of CAR 1988 as then in force continues in force on and after that date as if it were a certificate of airworthiness issued under regulation 21.176.
- (2) A certificate of airworthiness continued in force under subregulation (1) remains subject to any condition to which it was subject immediately before 1 October 1998.
- (3) Subject to Division 7 of Part 4A of CAR 1988, a direction that was, immediately before 1 October 1998, in force under paragraph 25 (1) (b) of CAR 1988 as then in force continues in force on and after that date according to its terms.

**202.052 Export certificate of airworthiness**

An export certificate of airworthiness that was, immediately before 1 October 1998, in force under regulation 28 of CAR 1988 as then in force continues in force on and after that date as if it were an export airworthiness approval issued under regulation 21.324.

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**Division 202.AJ.2 Transitional provisions relating to approvals of designs of modifications and repairs**

**202.053 Approvals of systems of certification under regulation 34 of CAR**

Despite the repeal of regulation 34 of CAR:

- (a) an approval of a system of certification under that regulation, being an approval that was in force immediately before 27 June 2011, continues in force on and after 27 June 2011 according to its terms; and
- (b) CASA may vary, suspend or revoke the approval as if that regulation had not been repealed.

**202.054 Approvals of designs of modifications and repairs under regulation 35 of CAR**

- (1) Despite the repeal of regulation 35 and subregulations 47 (4) and (7) of CAR:
  - (a) an approval of a design of a modification or repair that was in force under subregulation 35 (2) or (6) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
  - (b) an authorisation that was in force under subregulation 35 (3) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
  - (c) subregulations 47 (4) and (7) of CAR, as in force immediately before 27 June 2011, continue to apply to such an authorisation as if neither regulation 35 of CAR, nor those subregulations, had been repealed; and
  - (d) CASA may vary, suspend or revoke such an approval or authorisation as if regulation 35 of CAR had not been repealed.
- (2) If:
  - (a) before 27 June 2011, an application was made to CASA or an authorised person under regulation 35 of CAR for the approval of the design of a modification or repair; and

**Regulation 202.055**

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- (b) the application was not finally determined by CASA or the authorised person immediately before 27 June 2011;  
the application is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

**202.055 Approvals of aircraft components for use as replacements under regulation 36 of CAR**

- (1) Despite the repeal of regulation 36 and subregulations 47 (4) and (7) of CAR:
- (a) an approval of an aircraft component, or aircraft components included in a type of aircraft component, for use as a replacement that was in force under subregulation 36 (2) or (6) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
  - (b) an authorisation that was in force under subregulation 36 (3) of CAR immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
  - (c) subregulations 47 (4) and (7) of CAR, as in force immediately before 27 June 2011, continue to apply to such an authorisation as if neither regulation 36 of CAR, nor those subregulations, had been repealed; and
  - (d) CASA may vary, suspend or revoke such an approval or authorisation as if regulation 36 of CAR had not been repealed.
- (2) If:
- (a) before 27 June 2011, an application was made to CASA or an authorised person for an approval under regulation 36 of CAR; and
  - (b) the application was not finally determined by CASA or the authorised person immediately before 27 June 2011;  
the application is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

**202.056 Use of aircraft material for particular purposes under regulation 36A of CAR**

- (1) Despite the repeal of regulation 36A of CAR:
  - (a) a direction under subregulation 36A (2) of CAR that was in force immediately before 27 June 2011 continues in force on and after 27 June 2011 according to its terms; and
  - (b) subregulation 36A (3) of CAR, as in force immediately before 27 June 2011, continues to apply to such a direction as if regulation 36A of CAR had not been repealed; and
  - (c) CASA may vary, suspend or revoke such a direction as if regulation 36A of CAR had not been repealed.
- (2) Despite the repeal of regulation 36A of CAR:
  - (a) an approval of an aircraft material, being an approval that was in force under subregulation 36A (3A) of CAR immediately before 27 June 2011, continues in force on and after 27 June 2011 according to its terms; and
  - (b) CASA may vary, suspend or revoke such an approval as if regulation 36A of CAR had not been repealed.
- (3) If:
  - (a) before 27 June 2011, a person asked CASA or an authorised person to approve the use of aircraft material for a particular purpose under regulation 36A of CAR; and
  - (b) CASA or the authorised person has not, before 27 June 2011, decided whether or not to approve the use of the material;

the request is taken, on and after 27 June 2011, to be an application for a modification/repair design approval made to CASA or the authorised person under regulation 21.405.

**202.057 Approval of damage as permissible unserviceability under regulation 37 of CAR**

If, before 27 June 2011, CASA gave an approval under subregulation 37 (1) of CAR in relation to damage to an Australian aircraft, or an aircraft included in a class of aircraft, the approval is taken, on and after 27 June 2011, to be an approval given by CASA under subregulation 21.007 (2).

**Regulation 202.058**

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**202.058 Approval of changes to flight manuals under regulations 55 and 55A of CAR**

- (1) Despite the repeal of regulation 55 of CAR, an approval of a change to an aircraft's flight manual that was in force under that regulation immediately before 27 June 2011 continues in force on and after 27 June 2011 as if it were an approval given under regulation 21.006A.
- (2) If:
  - (a) before 27 June 2011, a person asked CASA or an authorised person to approve a change to an aircraft's flight manual under regulation 55 of CAR; and
  - (b) CASA or the authorised person has not, before 27 June 2011, decided whether or not to give the approval; the request is taken, on and after 27 June 2011, to be an application for approval of the change made to CASA or the authorised person under regulation 21.006A.
- (3) Despite the repeal of regulation 55A of CAR, an approval of a change to an aircraft's flight manual that was in force under that regulation immediately before 27 June 2011 continues in force on and after 27 June 2011 as if it were an approval given by CASA under regulation 21.006A.
- (4) If:
  - (a) before 27 June 2011, an application was made under regulation 55A of CAR for the approval of a change to an aircraft's flight manual; and
  - (b) the application was not finally determined by CASA immediately before 27 June 2011; the application is taken, on and after 27 June 2011, to be an application for approval of the change under regulation 21.006A.

**Division 202.AJ.3 Transitional provisions relating to authorised persons**

**202.059 Authorised persons for regulations 35, 36 and 36A of CAR**

- (1) This regulation applies to a person who was, immediately before 27 June 2011, an authorised person appointed under regulation 6 of CAR for the purposes of regulation 35, 36 or 36A of CAR (as in force before 27 June 2011).
- (2) CASA is taken to have appointed the person on 27 June 2011 under regulation 201.001 to be an authorised person for regulations 21.006A and 21.009 and the provisions of Subpart 21.M.
- (3) The appointment is subject to the conditions to which the person's appointment as an authorised person under regulation 6 of CAR was subject to immediately before 27 June 2011.
- (4) However, the appointment expires:
  - (a) when the person's appointment as an authorised person for regulation 35, 36 or 36A of CAR would have expired; or
  - (b) at the end of 26 June 2013; or
  - (c) when it is revoked;whichever happens first.

**Subpart 202.AK Transitional provisions for Part 22 (Airworthiness standards for sailplanes and powered sailplanes)**

**202.060 Approvals under airworthiness instruments in force before 1 July 2009**

- (1) Despite the amendments of Part 22 taking effect on 1 July 2009:
  - (a) an approval that:

|                |   |
|----------------|---|
| Part 202       | Transitional  |
| Subpart 202.AL | Transitional provisions for Part 23 (Airworthiness standards for aeroplanes in the normal, utility, acrobatic or commuter category) |

### **Regulation 202.070**

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- (i) was given by CASA under a repealed provision; and
  - (ii) was in effect immediately before 1 July 2009;
- has effect on and after 1 July 2009 as if those amendments had not been made; and
- (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:
- repealed provision* means regulation 22.006, 22.007, 22.008 or 22.009 as in force immediately before 1 July 2009.

## **Subpart 202.AL Transitional provisions for Part 23 (Airworthiness standards for aeroplanes in the normal, utility, acrobatic or commuter category)**

### **202.070 Approvals under airworthiness instruments in force before 1 July 2009**

- (1) Despite the amendments of Part 23 taking effect on 1 July 2009:
  - (a) an approval that:
    - (i) was given by CASA under a repealed provision; and
    - (ii) was in effect immediately before 1 July 2009;

has effect on and after 1 July 2009 as if those amendments had not been made; and
  - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:
 

*repealed provision* means regulation 23.007 or 23.008 as in force immediately before 1 July 2009.



**Subpart 202.AN Transitional provisions for Part 25 (Airworthiness standards for aeroplanes in the transport category)**

**202.090 Approvals under airworthiness instruments in force before 1 July 2009**

- (1) Despite the amendments of Part 25 taking effect on 1 July 2009:
  - (a) an approval that:
    - (i) was given by CASA under the former regulation 25.006; and
    - (ii) was in effect immediately before 1 July 2009; has effect on and after 1 July 2009 as if those amendments had not been made; and
  - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:

*the former regulation 25.006* means regulation 25.006 as in force immediately before 1 July 2009.

**Subpart 202.AO Transitional provisions for Part 26  
(Airworthiness standards for  
aircraft in the primary category or  
intermediate category)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.100 to 202.109 are reserved for use in this Subpart.

**Subpart 202.AP Transitional provisions for Part 27  
(Airworthiness standards for  
rotorcraft in the normal category)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.110 to 202.119 are reserved for use in this Subpart.

**Subpart 202.AR Transitional provisions for Part 29  
(Airworthiness standards for  
rotorcraft in the transport  
category)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.120 to 202.129 are reserved for use in this Subpart.

**Subpart 202.AT Transitional provisions for Part 31  
(Airworthiness standards for  
manned free balloons)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.130 to 202.139 are reserved for use in this Subpart.

## Subpart 202.AU Transitional provisions for Part 32 (Airworthiness standards for engines for very light aeroplanes)

### 202.140 Approvals under airworthiness instruments in force before 1 July 2009

- (1) Despite the amendments of Part 32 taking effect on 1 July 2009:
  - (a) an approval that:
    - (i) was given by CASA under the former regulation 32.004; and
    - (ii) was in effect immediately before 1 July 2009; has effect on and after 1 July 2009 as if those amendments had not been made; and
  - (b) CASA may suspend or cancel an approval mentioned in paragraph (a) if it is necessary in the interests of aviation safety.
- (2) In this regulation:

*the former regulation 32.004* means regulation 32.004 as in force immediately before 1 July 2009.

## Subpart 202.AV Transitional provisions for Part 33 (Airworthiness standards for aircraft engines)

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.150 to 202.159 are reserved for use in this Subpart.

**Regulation 202.170**

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**Subpart 202.AX Transitional provisions for Part 35  
(Airworthiness standards for  
aircraft propellers)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.160 to 202.169 are reserved for use in this Subpart.

**Subpart 202.AZ Transitional provisions for Part 39  
(Airworthiness directives)**

**202.170 Airworthiness directives**

If an airworthiness directive issued under regulation 37A of CAR, or such an airworthiness directive as subsequently varied, had effect immediately before 1 January 2000, then, subject to these Regulations, the airworthiness directive, or the airworthiness directive as varied, continues to have effect on and after that day as if it were an airworthiness directive issued by CASA under regulation 39.001.

**202.171 Application for exemption from, or variation of,  
requirement of airworthiness directive**

If an application under regulation 42ZR of CAR for an exemption from, or a variation of, a requirement of an airworthiness directive, in so far as it relates to a particular aircraft, was still pending immediately before 1 January 2000, the application has effect as if it were a written request made by the applicant, on that day, for CASA to exclude, under regulation 39.004, the aircraft from the operation of the airworthiness directive.

**202.172 Exemption from requirement of airworthiness  
directive**

If an exemption from a requirement of an airworthiness directive granted, under regulation 42ZS of CAR, in relation to an aircraft was still in force immediately before 1 January

2000, then, subject to these Regulations, the exemption has effect as if it were an instrument issued under regulation 39.004, on that day, excluding the aircraft from the operation of the airworthiness directive.

## **Subpart 202.BA    Transitional provisions for Part 42 (Continuing airworthiness requirements for aircraft and aeronautical products)**

### **202.180      Application of Part 42 from 27 June 2011 until the end of 26 June 2013**

- (1) Part 42 applies to:
  - (a) a registered aircraft:
    - (i) that is authorised to operate under an AOC issued for a purpose mentioned in paragraph 206 (1) (c) of CAR; and
    - (ii) that is of a particular type and model; and
    - (iii) the registered operator of which is a continuing airworthiness management organisation for that type and model of aircraft; and
  - (b) an aeronautical product for an aircraft mentioned in paragraph (a).
- (2) Part 42 applies to a Part 145 organisation that is carrying out maintenance on:
  - (a) an aircraft mentioned in paragraph (1) (a); or
  - (b) an aeronautical product for an aircraft mentioned in paragraph (1) (a).
- (3) Part 42 applies to an independent maintainer mentioned in item 4 or 5 of table 42.300 who is carrying out maintenance on an aircraft mentioned in paragraph (1) (a).
- (4) This regulation ceases to have effect at the end of 26 June 2013.

**Regulation 202.181**

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**202.181 Application of Part 42 on and after 27 June 2013**

- (1) On and after 27 June 2013, Part 42 applies to:
  - (a) a registered aircraft that is authorised to operate under an AOC issued for a purpose mentioned in paragraph 206 (1) (c) of CAR; and
  - (b) an aeronautical product for an aircraft mentioned in paragraph (a).
- (2) On and after 27 June 2013, Part 42 applies to a Part 145 organisation that is carrying out maintenance on:
  - (a) an aircraft mentioned in paragraph (1) (a); or
  - (b) an aeronautical product for an aircraft mentioned in paragraph (1) (a).
- (3) On and after 27 June 2013, Part 42 applies to an independent maintainer mentioned in item 4 or 5 of table 42.300 who is carrying out maintenance on an aircraft mentioned in paragraph (1) (a).

**202.182 Certificates of release to service taken to include maintenance releases (paragraph 42.030 (2) (b))**

For paragraph 42.030 (2) (b), a reference to a certificate of release to service for an aircraft in relation to maintenance carried out on the aircraft is taken to include a maintenance release for the aircraft in relation to that maintenance.

**202.183 Application of subparagraph 42.030 (2) (c) (ii) (airworthiness review certificates) to existing and new aircraft**

*Existing aircraft*

- (1) Subparagraph 42.030 (2) (c) (ii) applies to the registered operator of an existing aircraft of a particular type and model on and after the day that is 3 years after the approval day for the operator for that type and model of aircraft.

**Regulation 202.184**

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- (2) An aircraft of a particular type and model is an **existing aircraft** for a registered operator if the aircraft is mentioned in the registered operator's AOC on the approval day for the operator for that type and model of aircraft.

*New aircraft*

- (3) Subparagraph 42.030 (2) (c) (ii) applies to the registered operator of a new aircraft of a particular type and model on and after the day after the approval day for the operator for that type and model of aircraft.
- (4) An aircraft of a particular type and model is a **new aircraft** for a registered operator if the aircraft was added to the registered operator's AOC after the approval day for the operator for that type and model of aircraft.

*Approval day*

- (5) In this regulation:  
**approval day**, for the registered operator of a particular type and model of aircraft, means the day when the operator is approved as a continuing airworthiness management organisation for that type and model of aircraft.

**202.184 References to persons permitted to carry out maintenance (regulations 42.080 and 42.430)**

*Aircraft*

- (1) For subregulation 42.080 (1) and paragraph 42.430 (2) (a), and subject to subregulation (3), a reference to a person who is permitted to carry out maintenance on an aircraft under regulation 42.295 or 42.300 is taken to include a person who is permitted by regulation 42ZC or 42ZD of CAR to carry out maintenance on the aircraft.

**Regulation 202.185**

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*Aeronautical products*

- (2) For subregulation 42.080 (3), and subject to subregulation (3), a reference to a person who is permitted to carry out maintenance on an aeronautical product of a particular kind under regulation 42.305 is taken to include a person who is permitted by regulation 42ZC or 42ZD of CAR to carry out maintenance on an aircraft component that is an aeronautical product of that kind.
- (3) This regulation does not apply to:
  - (a) a person mentioned in paragraph 42ZC (3) (c) of CAR; or
  - (b) a person mentioned in paragraph 42ZC (3) (d) or (4) (e) of CAR if the person is not employed by, or working under an arrangement with, a person who holds a certificate of approval covering the maintenance; or
  - (c) a person mentioned in paragraph 42ZD (2) (c) of CAR in relation to maintenance carried out on an aircraft if the person is not:
    - (i) employed by, or working under an arrangement with, a person who holds a certificate of approval covering the maintenance; or
    - (ii) working under an arrangement with the continuing airworthiness management organisation for the aircraft.
- (4) This regulation ceases to have effect at the end of 26 June 2013.

**202.185 Approved maintenance programs taken to include approved systems of maintenance**

For Part 42, a reference to an approved maintenance program for an aircraft is taken to include an approved system of maintenance for the aircraft.



**202.186      Approved reliability programs taken to include reliability programs included in approved systems of maintenance**

For Part 42, a reference to an approved reliability program for an aircraft is taken to include a reliability program included in an approved system of maintenance for the aircraft.

**202.187      References to deferral of rectification of defects and recording of defects**

- (1) For subparagraph 42.030 (2) (e) (ii) and paragraphs 42.115 (1) (c), 42.745 (f) and 42.900 (2) (e), a reference to the deferral of the rectification of a defect in an aircraft in accordance with Subdivision 42.D.6.1 is taken to include the endorsement of a maintenance release that is in force for the aircraft with information about the defect.
- (2) For regulation 42.355, a reference to recording a defect in an aircraft in the continuing airworthiness records system for the aircraft is taken to include the endorsement of a maintenance release that is in force for the aircraft with information about the defect.
- (3) In this regulation:  
*maintenance release*, for the registered operator of an aircraft, includes another document approved by CASA for use by the operator as an alternative for the purposes of regulation 49 or 50 of CAR.

**202.188      References to authorised release certificates (subparagraphs 42.420 (5) (a) (i) and (b) (i))**

- (1) For subparagraphs 42.420 (5) (a) (i) and (b) (i), a reference to an authorised release certificate is taken to include an authorised release certificate within the meaning given by subclause 18 (1) of Part 2 of the Dictionary.
- (2) This regulation ceases to have effect at the end of 26 June 2013.

**Regulation 202.189**

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**202.189 In-house release documents taken to include equivalent documents (subparagraph 42.420 (5) (b) (ii))**

- (1) This regulation applies to a Part 145 organisation that, before becoming a Part 145 organisation, was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components.
- (2) If, before the organisation became a Part 145 organisation, the organisation:
  - (a) carried out maintenance on an aeronautical product that is an aircraft component; and
  - (b) produced a document in relation to the maintenance:
    - (i) that is equivalent to an in-house release document; and
    - (ii) that includes information that enables the identification of the authorised release certificate, within the meaning given by subclause 18 (1) of Part 2 of the Dictionary, for the product;then, for subparagraph 42.420 (5) (b) (ii), a reference to an in-house release document is taken, in relation to the maintenance, to include the equivalent document.
- (3) This regulation ceases to have effect at the end of 26 June 2013.

**202.190 References to fabrication of parts (regulation 42.435)**

- (1) This regulation applies to an approved maintenance organisation that, before becoming an approved maintenance organisation, was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components.
- (2) For regulation 42.435, if the organisation fabricated a part before the organisation became an approved maintenance organisation, a reference to a part fabricated by the approved maintenance organisation is taken to include that part.
- (3) This regulation ceases to have effect at the end of 26 June 2013.

**202.191 Maintenance certification taken to include certification of completion of maintenance (paragraph 42.745 (c))**

- (1) This regulation applies to an approved maintenance organisation that, before becoming an approved maintenance organisation:
  - (a) was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components; and
  - (b) carried out maintenance on an aircraft.
- (2) For paragraph 42.745 (c), a reference to maintenance certification having been performed for maintenance carried out on an aircraft is taken to include, in relation to maintenance mentioned in paragraph (1) (b), certification of the completion of the maintenance in accordance with regulation 42ZE or 42ZN of CAR if:
  - (a) a maintenance release has been issued for the maintenance; and
  - (b) the maintenance release includes an endorsement that the release is issued subject to a condition that specified maintenance must be carried out before a certificate of release to service can be issued for the aircraft in relation to maintenance carried out on the aircraft.

**202.192 Maintenance certification and certificates of release to service taken to include maintenance releases (paragraph 42.900 (2) (i))**

- (1) This regulation applies to an aircraft on which maintenance was carried out before Part 42 applied to the aircraft.
- (2) For paragraph 42.900 (2) (i), a reference to maintenance certification having been performed, and a certificate of release to service having been issued, for maintenance carried out on the aircraft before Part 42 applied to the aircraft is taken to include the issue of a maintenance release for the maintenance.

**Regulation 202.193**

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**202.193 Reference to maintenance carried out in accordance with Part 42 (subparagraph 42.795 (c) (i))**

- (1) This regulation applies to an approved maintenance organisation that, before becoming an approved maintenance organisation:
- (a) was the holder of a certificate of approval that covered maintenance of aircraft or aircraft components; and
  - (b) carried out maintenance:
    - (i) on an aeronautical product that is an aircraft component; and
    - (ii) in accordance with the approved maintenance data for the component.

*Note* For the definition of *approved maintenance data*, see subsection 2 (1) of CAR.

- (2) For subparagraph 42.795 (c) (i), a reference to maintenance having been carried out on the product in accordance with Part 42 is taken to include maintenance mentioned in paragraph (1) (b) if:
- (a) an authorised release certificate for the component, within the meaning given by subclause 18 (1) of Part 2 of the Dictionary, has been issued in respect of the maintenance; and
  - (b) the certificate is signed by a person mentioned in subregulation 42WA (2) of CAR.
- (3) This regulation ceases to have effect at the end of 26 June 2013.

**202.194 CASA may direct making of applications under regulation 42.585**

- (1) CASA may direct the registered operator of an aircraft of a particular type and model to make an application under regulation 42.585 for approval as a continuing airworthiness management organisation for that type and model of aircraft.
- (2) A direction under this regulation must:
- (a) be in writing; and

**Regulation 202.220**

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(b) specify the time within which the direction must be complied with.

(3) A person to whom a direction is given must comply with the direction within the time specified in the direction.

*Note* CASA intends to give directions under this regulation to assist it in managing the implementation of Part 42.

**Subpart 202.BD Transitional provisions for Part 45  
(Display of nationality and registration marks)**

**202.200 Australian aircraft marked in accordance with CAR**

Despite Part 45, an Australian aircraft registered before 1 October 2000 need not bear markings that comply with that Part until it is repainted if, until then, the aircraft bears nationality marks and registration marks in accordance with Division 7 of Part 3 of CAR (as in force immediately before 1 October 2000).

**Subpart 202.BF Transitional provisions for Part 47  
(Registration of aircraft and related matters)**

**202.220 Definitions for Subpart 202.BF**

In this Subpart:

*certificate of registration* means a certificate of registration issued under the old Regulations.

*eligible person* has the meaning given by regulation 47.010.

*old Regulations* means CAR as in force immediately before 15 November 2004.

*Property interest* has the meaning given by the old Regulations.

*registered operator* has the meaning given by regulation 47.100.

**Regulation 202.221**

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**202.221 Continuation of Aircraft Register**

- (1) For Subpart 47.B, the Aircraft Register mentioned in regulation 8 of the old Regulations (the *Aircraft Register*) continues in existence under the name *Australian Civil Aircraft Register*.
- (2) Entries made in the Aircraft Register under Part 3 of the old Regulations are incorporated in, and form part of, the Australian Civil Aircraft Register.

**202.222 Reference to holder of a certificate of registration**

- (1) A reference in CAR to the holder of a certificate of registration of an aircraft is taken to be a reference to the registered operator of the aircraft.
- (2) A duty imposed on the holder of a certificate of registration of an aircraft is taken to be imposed on the registered operator of the aircraft.

**202.223 Registration under CAR to continue**

- (1) The registration of an aircraft in the Aircraft Register continues as if the old Regulations were still in force until:
  - (a) the day when CASA registers, or refuses to register, the aircraft under Part 47; or
  - (b) CASA cancels the registration.

*Note* After 15 November 2005, CASA may cancel or suspend the registration of an aircraft if the owner of the aircraft does not reply to a request made under subregulation 202.225 (5).
- (2) However, CASA must not accept an application for a change of any details about an aircraft that are kept in the Aircraft Register, other than an application for:
  - (a) a change of name or address of the holder of the certificate of registration, or a property interest holder, of the aircraft; or
  - (b) the cancellation of the registration of the aircraft.

**Regulation 202.225**

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- (3) If the registration of an aircraft is suspended under the old Regulations, the suspension continues as if the old Regulations were still in force.

**202.224 Pending applications or notices**

- (1) This regulation applies if:
- (a) before 15 November 2004, a person applied to CASA or sent CASA a notice under Part 3 of the old Regulations; and
  - (b) on or after 15 November 2004, CASA had not decided about the application or acted on the notice.
- (2) CASA must decide about the application or act on the notice as if the old Regulations were still in force.

**202.225 Application to register aircraft under Part 47**

- (1) The owner of an aircraft that is registered in the Aircraft Register may apply to CASA to register the aircraft under Part 47.
- (2) The application must be made in an approved form and include:
- (a) the aircraft's registration mark, manufacturer, model and serial number; and
  - (b) the name, address and signature of the owner of the aircraft; and
  - (c) the registered operator's name and postal address, and:
    - (i) if the registered operator is an individual — his or her home address; or
    - (ii) if the registered operator is a corporation — the address of the corporation's registered office; and
  - (d) the name, address and signature of the person who holds the certificate of registration; and
  - (e) the name, address and signature of each person who holds a property interest in the aircraft.
- (3) If CASA receives an application in accordance with subregulation (2), CASA must register the aircraft.

**Regulation 202.240**

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- (4) However, CASA may approve an application without 1 or more of the signatures required by paragraph (2) (e), if there is other evidence available to demonstrate that the application is genuine.
- (5) If, after 15 November 2005, CASA asks an applicant, or the owner of an aircraft, to provide information, or take an action, to complete an application in the approved form, the applicant, or owner, must provide the information, or take the action, within 90 days of CASA making the request.

*Note* Regulation 47.045 of CASR sets out relevant directions about communicating with CASA.

- (6) CASA may cancel or suspend the registration of the aircraft if the applicant, or owner of the aircraft, fails to comply with subregulation (5).

*Note* An explanation of the procedures that apply in relation to a suspension are set out in the advisory circular AC 47-1 which can be viewed at, or downloaded from, CASA's website: [www.casa.gov.au](http://www.casa.gov.au).

## **Subpart 202.CA Transitional provisions for Part 60 (Synthetic training devices)**

### **202.240 Definitions for this Subpart**

In this Subpart:

***accreditation***, of a flight simulator, means accreditation of the flight simulator under Part 45 of the Civil Aviation Orders for the purpose of granting an approval of the flight simulator under the old regulations, and includes an accreditation certificate issued for that purpose.

***flight simulator qualification*** has the meaning given by regulation 60.015.

***old regulations*** means CAR as in force immediately before 18 September 2003.

***transitional accreditation***, of a flight simulator, means accreditation of the flight simulator that is continued in force on and after 18 September 2003 by regulation 202.241 as if it were a flight simulator qualification.



**202.241 Transitional accreditation — flight simulators**

- (1) The accreditation of a flight simulator that was in force immediately before 18 September 2003 at a level (the *old level*) specified in column 2 of an item in table 202.241 continues to be in force on and after that day, subject to subregulations (2), (3) and (4), as if it were a flight simulator qualification for the flight simulator at the level (the *new level*) specified in column 3 of that item.
- (2) A transitional accreditation remains subject to any conditions to which it was subject immediately before 18 September 2003.
- (3) A transitional accreditation continues in force until the sooner of the following:
  - (a) the date of expiry of the accreditation;
  - (b) 18 September 2004.
- (4) However, a transition accreditation ceases if:
  - (a) it is cancelled; or
  - (b) there is a change of operator of the simulator or device; or
  - (c) the simulator or device is deactivated or relocated.

**Table 202.241 Accreditation and qualification levels**

| Item | Old level | New level |
|------|-----------|-----------|
| 1    | 3         | B         |
| 2    | 4         | C         |
| 3    | 5         | D         |

**Subpart 202.CB Transitional provisions for Part 61 (Pilot licensing)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.260 to 202.279 are reserved for use in this Subpart.

**Regulation 202.320**

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**Subpart 202.CD Transitional provisions for Part 63  
(Flight crew licensing other than pilots)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.280 to 202.299 are reserved for use in this Subpart.

**Subpart 202.CE Transitional provisions for Part 64  
(Ground authorisations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.300 to 202.319 are reserved for use in this Subpart.

**Subpart 202.CF Transitional provisions for Part 65  
(Air traffic services licensing)**

**202.320 Manual of Standards for Part 65**

- (1) A document called ‘Manual of Standards (MOS) – Part 65’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 65.033.
- (2) The procedures in regulations 65.033A, 65.033B and 65.033C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

**202.321 Persons holding certain licences**

- (1) In this regulation:  
*old licence* means an air traffic controller licence or a flight service officer licence issued under CAR and in force (or suspended) immediately before 1 May 2003.
- (2) A person who, immediately before 1 May 2003, held an old licence (including a licence that is suspended) is taken to hold a corresponding licence issued under Part 65.

**Regulation 202.340**

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- (3) A rating, endorsement or qualification endorsed on an old licence is taken to continue in force for the period during which it would have been in force but for that Part.
- (4) A licence that a person is taken to hold under subregulation (2), or a rating, endorsement or qualification mentioned in subregulation (3), may be suspended or cancelled as if it had been granted under that Part.
- (5) An old licence that, immediately before 1 May 2003, was suspended is taken, on and after that day, to continue to be suspended.
- (6) For the purposes of action against the holder of an old licence mentioned in subregulation (5), the amendments of CAR by regulation 4 of, and Schedule 2 to, the *Civil Aviation Amendment Regulations 2002 (No. 2)* are to be disregarded.

**Subpart 202.CG Transitional provisions for Part 66  
(Continuing airworthiness —  
aircraft engineer licences and  
ratings)**

**202.340 Definitions for Subpart**

In this Subpart:

*aircraft maintenance engineer licence* means an aircraft maintenance engineer licence granted under regulation 31 of CAR, as in force before 27 June 2011.

*CAO 100.66 maintenance authority* means an airworthiness authority:

- (a) of the kind mentioned in paragraph 33B (1) (a) of CAR; and
- (b) issued by CASA in accordance with Schedule 1 to the *Civil Aviation Order 100.66 Instrument 2007*, as in force before 27 June 2011.

*qualified person* has the meaning given by subregulation 31 (4) of CAR, as in force immediately before 27 June 2011.

**Regulation 202.341**

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**202.341 Aircraft maintenance engineer licences and CAO 100.66 maintenance authorities held on 26 June 2011**

- (1) This regulation applies to a person who, on 26 June 2011, holds:
  - (a) an aircraft maintenance engineer licence; or
  - (b) a CAO 100.66 maintenance authority.
- (2) On 27 June 2011, the person is taken to have applied for, and to meet the requirements mentioned in regulations 66.025 and 66.080 for the grant of:
  - (a) an aircraft engineer licence of each category or subcategory that relates to a kind of aircraft, and a kind of maintenance, that was covered by the aircraft maintenance engineer licence or the CAO 100.66 maintenance authority; and
  - (b) a rating for each type rated aircraft type that was covered by the aircraft maintenance engineer licence or the CAO 100.66 maintenance authority.

**202.342 Aircraft maintenance engineer licences that were suspended on 26 June 2011**

- (1) This regulation applies to a person if:
  - (a) before 27 June 2011, the person held an aircraft maintenance engineer licence; and
  - (b) on or before 26 June 2011, CASA suspended the licence; and
  - (c) on 26 June 2011, the suspension was in force.
- (2) Despite the repeal of regulation 31 of CAR:
  - (a) the period of currency of the licence continues to run; and
  - (b) CASA may revoke the suspension of the licence.

**Regulation 202.343**

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- (3) If CASA revokes the suspension of the licence, the person is taken, on the day that the revocation takes effect, to have applied for, and to meet the requirements mentioned in regulations 66.025 and 66.080 for the grant of:
- (a) an aircraft engineer licence of each category or subcategory that relates to a kind of aircraft, and a kind of maintenance, that was covered by the aircraft maintenance engineer licence; and
  - (b) a rating for each type rated aircraft type that was covered by the aircraft maintenance engineer licence.

**202.343 Applications for aircraft maintenance engineer licences made but not finally determined before 27 June 2011**

- (1) This regulation applies if:
- (a) before 27 June 2011, an application was made under regulation 31 of CAR for an aircraft maintenance engineer licence by:
    - (i) a qualified person; or
    - (ii) a person who satisfies CASA of the matters mentioned in subregulation 31 (6) of CAR, as in force immediately before 27 June 2011; and
  - (b) the application was not finally determined by CASA before 27 June 2011.
- (2) CASA must determine whether CASA would have issued an aircraft maintenance engineer licence to the person under regulation 31 of CAR, as in force immediately before 27 June 2011.
- (3) If CASA determines that CASA would have issued an aircraft maintenance engineer licence to the person, the person is taken to have applied for, and to meet the requirements mentioned in regulations 66.025 and 66.080 for the grant of:
- (a) an aircraft engineer licence of each category or subcategory that relates to a kind of aircraft, and a kind of maintenance, that would have been covered by the aircraft maintenance engineer licence; and

**Regulation 202.344**

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- (b) a rating for each type rated aircraft type that would have been covered by the aircraft maintenance engineer licence.
- (4) If CASA determines that CASA would not have issued an aircraft maintenance engineer licence to the person, CASA must give the person notice in writing of:
  - (a) the determination; and
  - (b) the reasons for the determination.

**202.344 Applications for aircraft maintenance engineer licences made on or after 27 June 2011**

- (1) Despite the repeal of regulation 31 of CAR, an application may be made under that regulation for an aircraft maintenance engineer licence by:
  - (a) a qualified person; or
  - (b) a person who satisfies CASA of the matters mentioned in subregulation 31 (6) of CAR, as in force immediately before 27 June 2011.
- (2) CASA must determine whether CASA would have issued an aircraft maintenance engineer licence to the person under regulation 31 of CAR, as in force immediately before 27 June 2011.
- (2A) For a determination under subregulation (2), the Civil Aviation Orders in force under subregulation (2B) when the application is made (if any) apply in relation to paragraphs 31 (4) (c) and (e), and regulations 31A, 31B and 31C, of CAR, as in force immediately before 27 June 2011.
- (2B) CASA may make Civil Aviation Orders dealing with the matters mentioned in paragraphs 31 (4) (c) and (e), and regulations 31A, 31B and 31C, of CAR, as in force immediately before 27 June 2011.
- (3) If CASA determines that CASA would have issued an aircraft maintenance engineer licence to the person, the person is taken to have applied for, and to meet the requirements mentioned in regulations 66.025 and 66.080 for the grant of:
  - (a) an aircraft engineer licence of each category or subcategory that relates to a kind of aircraft, and a kind of

**Regulation 202.345**

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- maintenance, that would have been covered by the aircraft maintenance engineer licence; and
- (b) a rating for each type rated aircraft type that would have been covered by the aircraft maintenance engineer licence.
- (4) If CASA determines that CASA would not have issued an aircraft maintenance engineer licence to the person, CASA must give the person notice in writing of:
- (a) the determination; and
  - (b) the reasons for the determination.
- (5) This regulation ceases to have effect at the end of 26 June 2015.

**202.345 Applications for CAO 100.66 maintenance authorities made but not finally determined before 27 June 2011**

- (1) This regulation applies if:
  - (a) before 27 June 2011, a person made an application for a CAO 100.66 maintenance authority; and
  - (b) the application was not finally determined by CASA before 27 June 2011.
- (2) CASA must determine whether CASA would have issued a CAO 100.66 maintenance authority to the person under regulation 33B of CAR, as in force immediately before 27 June 2011.
- (3) If CASA determines that CASA would have issued a CAO 100.66 maintenance authority to the person, the person is taken to have applied for, and to meet the requirements mentioned in regulations 66.025 and 66.080 for the grant of:
  - (a) an aircraft engineer licence of each category or subcategory that relates to a kind of aircraft, and a kind of maintenance, that would have been covered by the authority; and
  - (b) a rating for each type rated aircraft type that would have been covered by the authority.

**Regulation 202.346**

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- (4) If CASA determines that CASA would not have issued a CAO 100.66 maintenance authority to the person, CASA must give the person notice in writing of:
- (a) the determination; and
  - (b) the reasons for the determination.

**202.346 Having regard to other airworthiness authorities in granting aircraft engineer licences**

If:

- (a) a person mentioned in regulations 202.341 to 202.345 holds, or has held, an airworthiness authority of the kind mentioned in paragraph 33B (1) (a) of CAR, other than a CAO 100.66 maintenance authority; and
  - (b) CASA grants an aircraft engineer licence to the person;
- CASA must have regard to the authority in granting the licence.

*Note* In granting an aircraft engineer licence to a person, CASA wishes to be able to have regard to whether a person holds, or has held, an airworthiness authority mentioned in paragraph (a). The airworthiness authority may be relevant to whether CASA imposes a condition or limitation on a licence.

**202.347 Medically significant conditions**

- (1) This regulation applies to a person if:
- (a) before 27 June 2011, the person held an aircraft maintenance engineer licence or a CAO 100.66 maintenance authority; and
  - (b) when applying for the licence or authority, the person notified CASA that he or she had a medically significant condition (within the meaning given by subregulation 67.010 (1)); and
  - (c) under this Subpart, the person is taken to have applied for an aircraft engineer licence or a rating.
- (2) The person is taken to have specified the condition in the application.

*Note* See paragraph 66.125 (1) (c) and subparagraph 66.150 (1) (b) (iii).



## Subpart 202.CH Transitional provisions for Part 67 (Medical)

### 202.360 Medical certificates issued under *Civil Aviation Regulations 1988*

- (1) A medical certificate or special medical certificate issued before 3 September 2003, under Part 6 of CAR, as in force at any time before that day, continues to have, on and after that day, the same force and effect as it would have had if that Part had continued in force.
- (2) Such a certificate may be suspended or cancelled under Part 67.
- (3) Subject to subregulation (4), such a certificate expires at the time it would have expired if Part 6 of CAR had continued in force.
- (4) The period during which such a certificate is in force may be extended under Part 67, but not beyond the end of 1 year after the day when the certificate would expire if the period had not been extended.

### 202.361 Designated aviation medical examiners appointed under *Civil Aviation Regulations 1988*

- (1) The appointment of a person, before 3 September 2003, as a designated aviation medical examiner continues to have effect according to its terms.
- (2) Such an appointment may be cancelled in accordance with Part 67.

### 202.362 Actions by Director of Aviation Medicine

- (1) In this regulation:  
*Principal Medical Officer* means the officer of CASA occupying, or performing the duties of, the position in CASA of that title, and includes a person who occupied, or performed the duties of, the former position in CASA known as 'Director of Aviation Medicine'.

**Regulation 202.363**

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- (2) An approval given by the Principal Medical Officer, before 3 September 2003, for the purposes of a provision of Schedule 1 to CAR, as in force at any time before that day, continues to have effect according to its terms, on and after that day, as if CASA had given the approval for the purposes of the corresponding provision of table 67.150, table 67.155 or table 67.160.

**202.363 Applications for issue of medical certificates pending on 3 September 2003**

- (1) This regulation applies if:
  - (a) an application under Part 6 of the old regulations for the issue of a medical certificate was pending immediately before 3 September 2003; and
  - (b) the application was in accordance with that Part as then in force.
- (2) The application is taken, for these Regulations, to be an application for the issue of the medical certificate, made, on 3 September 2003, in accordance with Subpart 67.C.
- (3) If an examination required for the issue of the medical certificate under Part 6 of the old regulations had commenced but was not completed before 3 September 2003, the examination is taken to have commenced under Subpart 67.C.
- (4) In this regulation:  
*old regulations* means CAR as in force at any time before 3 September 2003.

**Subpart 202.DA Transitional provisions for Part 71 (Airspace)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.380 to 202.399 are reserved for use in this Subpart.

**Subpart 202.EA Transitional provisions for Part 90  
(Additional airworthiness requirements)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.400 to 202.419 are reserved for use in this Subpart.

**Subpart 202.EB Transitional provisions for Part 91  
(General operating and flight rules)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.420 to 202.439 are reserved for use in this Subpart.

**Subpart 202.EC Transitional provisions for Part 92  
(Consignment and carriage of dangerous goods by air)**

**202.440 Approval of certain training courses and instructors**

- (1) Subregulations (2) and (3) have effect if the Governor-General has made regulations that will amend CASR to require the approval of:
  - (a) courses of training in relation to dangerous goods; and
  - (b) instructors to give such courses;and those regulations have been notified in the *Gazette* but have not come into force.
- (2) CASA may approve such a course of training, or such an instructor, for the purposes of CASR as so to be amended.
- (3) Such an approval may be expressed to be for the purposes of a provision of CASR as so to be amended.
- (4) Such an approval given before the amending regulations come into force is not, after those regulations come into force, ineffective only because it was given before those regulations came into force.

**Regulation 202.440**

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*Note* Other transitional provisions for Part 92 are located in regulation 92.150. That regulation is as follows:

**92.150 Transitional — training undertaken before 1 January 2004**

- (1) A group A or B employee who has undertaken a training course in accordance with subregulation 262P (1) or 262R (1) of CAR on or after 1 January 2002 is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (2) A group C employee who is a flight crew member, and who has undertaken a training course in accordance with subregulation 262P (3) of CAR on or after 1 January 2002, is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (3) A group C employee (other than a flight crew member) who has undertaken a training course in accordance with subregulation 262P (1) or (3) of CAR on or after 1 January 2002 is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (4) A group D employee who is a cabin attendant, and has undertaken a training course in accordance with subregulation 262P (3) or paragraph 262P (4) (a) of CAR on or after 1 January 2002 is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (5) A group E employee who has undertaken a training course in accordance with subregulation 262P (2) or 262R (2) of CAR on or after 1 January 2001 is taken, for 3 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (6) A screening authority employee who has undertaken a training course in accordance with paragraph 262P (4) (b) of CAR on or after 1 January 2002 is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (7) A group F employee who has undertaken a training course in accordance with subregulation 262P (1), regulation 262Q or subregulation 262R (1) of CAR on or after 1 July 2002 is taken, for 2 years after undertaking that training, to have undertaken training in accordance with this Subpart.
- (8) This regulation ceases to have effect on 31 December 2006.

## **Subpart 202.FA Transitional provisions for Part 101 (Unmanned aircraft and rockets)**

### **202.460 Authorisations, permissions and approvals in force immediately before 1 July 2002**

- (1) Despite the amendment of CAR by Schedule 2 to the *Civil Aviation Amendment Regulations 2001 (No. 4)*, and despite any repeal of regulation 4 of those Regulations, an authorisation given under regulation 137 of CAR, or a permission given under regulation 259, 260 or 295 of CAR, before 1 July 2002 continues to have effect according to its terms.
- (2) Such an authorisation or permission may be amended or revoked as if it were an approval given under Part 101.
- (3) Despite any repeal of regulation 4 of the *Civil Aviation Amendment Regulations 2001 (No. 4)*, an approval given by CASA, before 1 July 2002, of an area as an area for the operation or launching of unmanned aircraft or rockets continues to have effect according to its terms.
- (4) An approval referred to in subregulation (3) may be revoked or amended as if it had been given under Part 101.

**Subpart 202.FC Transitional provisions for Part 103 (Sport and recreational aviation operations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.480 to 202.499 are reserved for use in this Subpart.

**Subpart 202.FE Transitional provisions for Part 105 (Sport and recreational parachuting from aircraft)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.500 to 202.519 are reserved for use in this Subpart.

**Subpart 202.FJ Transitional provisions for Part 115 (Operations using sport aviation aircraft for non-recreational activities)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.520 to 202.539 are reserved for use in this Subpart.

**Subpart 202.FL Transitional provisions for Part 119 (Air operator certification — air transport)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.540 to 202.559 are reserved for use in this Subpart.

**Subpart 202.FN Transitional provisions for Part 121A (Air transport operations — large aeroplanes)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.560 to 202.579 are reserved for use in this Subpart.

**Subpart 202.FO Transitional provisions for Part 121B (Air transport operations — small aeroplanes)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.580 to 202.599 are reserved for use in this Subpart.

**Subpart 202.FR Transitional provisions for Part 129 (Air operator certification — foreign operators)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.600 to 202.619 are reserved for use in this Subpart.

**Subpart 202.FT Transitional provisions for Part 133 (Air transport and aerial work operations — rotorcraft)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.620 to 202.639 are reserved for use in this Subpart.

|                |  |
|----------------|--|
| Part 202       | Transitional   |
| Subpart 202.FV | Transitional provisions for Part 136 (Aerial work operations — other than those covered by Parts 133, 137, 138, 141 and 142) |

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**Subpart 202.FV Transitional provisions for Part 136 (Aerial work operations — other than those covered by Parts 133, 137, 138, 141 and 142)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.640 to 202.659 are reserved for use in this Subpart.

**Subpart 202.FW Transitional provisions for Part 137 (Aerial agriculture operations — other than rotorcraft)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.660 to 202.679 are reserved for use in this Subpart.

**Subpart 202.FX Transitional provisions for Part 138 (Search and rescue operations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.680 to 202.699 are reserved for use in this Subpart.



## **Subpart 202.FY Transitional provisions for Part 139 (Aerodromes)**

### **202.700 Definitions for this Subpart**

In this Subpart:

*old regulations* means CAR as in force immediately before 2 May 2003.

*Rules and Practices for Aerodromes* means the document called 'Rules and Practices for Aerodromes', published by CASA, as in force immediately before 2 May 2003.

*transitional aerodrome licence* means an aerodrome licence that is continued in force after 2 May 2003 by regulation 202.701 as if it were an aerodrome certificate granted under regulation 139.050.

### **202.701 Aerodrome licences issued under CAR**

An aerodrome licence in force under Part 9 of the old regulations immediately before 2 May 2003 continues in force on and after that day as if it were an aerodrome certificate granted under regulation 139.050.

### **202.702 Conditions of transitional aerodrome licences**

A transitional aerodrome licence remains subject to any conditions to which it was subject immediately before 2 May 2003 (including any condition to which the licence was subject under regulation 303 of CAR).

### **202.703 Duration of transitional aerodrome licences**

Despite regulation 139.065, a transitional aerodrome licence continues in force, unless sooner cancelled, until the earlier of the following:

- (a) CASA grants an aerodrome certificate in respect of the aerodrome under regulation 139.050;
- (b) 1 May 2006.

**Regulation 202.704**

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**202.704 Previous aerodrome manuals and standards for aerodromes**

- (1) This regulation applies to the operator of an aerodrome if the operator holds a transitional aerodrome licence for the aerodrome.
- (2) The operator is taken to satisfy the requirements of Division 139.B.2 of CASR if the operator has an aerodrome manual for the aerodrome that, immediately before 2 May 2003, satisfied the requirements of Part 9, Division 3 of the old regulations.
- (3) The operator is taken to comply with regulation 139.165 if the operator complies with any requirements or standards for the physical characteristics of the movement area of an aerodrome that:
  - (a) are set out or referred to in the Rules and Practices for Aerodromes; and
  - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.
- (4) The operator is taken to comply with regulations 139.170, 139.190 and 139.195 if the operator complies with any requirements or standards for the marking and lighting of the movement area of an aerodrome that:
  - (a) are set out or referred to in the Rules and Practices for Aerodromes; and
  - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.
- (5) The operator is taken to comply with regulations 139.175 and 139.180 if the operator complies with any requirements or standards for the signal area and wind direction indicators for an aerodrome that:
  - (a) are set out or referred to in the Civil Aviation Orders; and
  - (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.
- (6) The operator is taken to comply with regulation 139.355 if the operator complies with any requirements and standards for the establishment of obstacle limitation surfaces for an aerodrome that:

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**Regulation 202.710**

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- (a) are set out or referred to in the Rules and Practices for Aerodromes; and
- (b) applied to the operator in respect of the aerodrome immediately before 2 May 2003.

**202.705 Exemptions**

- (1) An exemption from a provision of Part 9 of the old regulations (the *old provision*) that:
  - (a) was granted to the operator of an aerodrome under regulation 89ZD of the old regulations; and
  - (b) was in effect immediately before 2 May 2003;  
continues in force on and after that day as if it were an exemption granted to the operator under regulation 139.020 from the provision of these Regulations, or the Manual of Standards, that corresponds to the old provision.
- (2) Any such exemption continues in force subject to any conditions to which it was subject immediately before that day.
- (3) In this regulation:  
*Manual of Standards* has the meaning given by regulation 139.010.

**Subpart 202.FYH Transitional provisions for  
Subpart 139.H (Aerodrome rescue  
and fire fighting services)****202.710 Manual of Standards for Subpart 139.H**

- (1) A document called ‘Manual of Standards (MOS) – Subpart 139.H’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 139.712.
- (2) The procedures in regulations 139.712A, 139.712B and 139.712C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

**Regulation 202.760**

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**Subpart 202.GA Transitional provisions for Part 141 (Flight training organisations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.720 to 202.739 are reserved for use in this Subpart.

**Subpart 202.GB Transitional provisions for Part 142 (Training and checking organisations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.740 to 202.759 are reserved for use in this Subpart.

**Subpart 202.GC Transitional provisions for Part 143 (Air traffic services training providers)**

**202.760 Manual of Standards for Part 143**

- (1) A document called ‘Manual of Standards (MOS) – Part 143’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 143.017.
- (2) The procedures in regulations 143.017A, 143.017B and 143.017C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

**Subpart 202.GD Transitional provisions for Part 144 (Product distribution organisations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.780 to 202.799 are reserved for use in this Subpart.

**Subpart 202.GE Transitional provisions for Part 145 (Continuing airworthiness — Part 145 approved maintenance organisations)**

**202.800 CASA may direct making of applications under regulation 145.025**

- (1) CASA may direct the holder of a certificate of approval that covers maintenance of an aircraft or aeronautical product to which Part 42 applies to make an application under regulation 145.025 for approval as a Part 145 organisation.
- (2) A direction under this regulation must:
  - (a) be in writing; and
  - (b) specify the time within which the direction must be complied with.
- (3) The holder of the certificate must comply with the direction within the time specified in the direction.

*Note* CASA intends to give directions under this regulation to assist it in managing the implementation of Part 145.

**Subpart 202.GG Transitional provisions for Part 147 (Continuing airworthiness — maintenance training organisations)**

**202.840 Recognised organisations taken to be maintenance training organisations**

- (1) This regulation applies to an organisation that, immediately before 27 June 2011, is a recognised organisation within the meaning given by Schedule 1 to the *Civil Aviation Order 100.66 Instrument 2007*.

**Regulation 202.841**

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- (2) On 27 June 2011, the organisation is taken to have applied for, and to meet the requirements mentioned in regulation 147.030 for the grant of, approval as a maintenance training organisation.

**202.841 Applications for approval as a recognised organisation made but not finally determined before 27 June 2011**

- (1) This regulation applies to a person if:
- (a) before 27 June 2011, the person made an application for approval as a recognised organisation; and
  - (b) the application was not finally determined by CASA before 27 June 2011.
- (2) On 27 June 2011, the person is taken to have made an application under regulation 147.025 for approval as a maintenance training organisation.

**202.842 CASA may direct the making of applications under regulation 147.025**

- (1) CASA may direct the holder of a certificate of approval that covers:
- (a) the training of candidates for examinations mentioned in paragraph 31 (4) (e) of CAR, as in force before 27 June 2011; or
  - (b) the conducting of examinations mentioned in paragraph 31 (4) (e) of CAR, as in force before 27 June 2011;
- to make an application under regulation 147.025 for approval as a maintenance training organisation.
- (2) A direction under this regulation must:
- (a) be in writing; and
  - (b) specify the time within which the direction must be complied with.
- (3) The holder of the certificate must comply with the direction within the time mentioned in the direction.

*Note* CASA intends to give directions under this regulation to assist it in managing the implementation of Part 147.

**Subpart 202.GI Transitional provisions for  
Part 149 (Recreational aviation  
administration organisations)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.860 to 202.879 are reserved for use in this Subpart.

**Subpart 202.HA Transitional provisions for  
Part 171 (Aeronautical  
telecommunication service and  
radionavigation service providers)**

**202.880 Manual of Standards for Part 171**

- (1) A document called ‘Manual of Standards (MOS) – Part 171’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 171.017.
- (2) The procedures in regulations 171.017A, 171.017B and 171.017C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

**Subpart 202.HB Transitional provisions for  
Part 172 (Air traffic service  
providers)**

**202.900 Manual of Standards for Part 172**

- (1) A document called ‘Manual of Standards (MOS) – Part 172’ published by CASA before 1 May 2003 is taken to be a Manual of Standards issued under regulation 172.022.
- (2) The procedures in regulations 172.022A, 172.022B and 172.022C (as in force on 1 May 2003) are taken to have been complied with in relation to the issue of the Manual of Standards.

|                |   |
|----------------|---|
| Part 202       | Transitional  |
| Subpart 202.HC | Transitional provisions for Part 173 (Instrument flight procedure design) |

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**Subpart 202.HC Transitional provisions for Part 173 (Instrument flight procedure design)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.920 to 202.939 are reserved for use in this Subpart.

**Subpart 202.HD Transitional provisions for Part 174 (Aviation meteorological services)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.940 to 202.959 are reserved for use in this Subpart.

**Subpart 202.HL Transitional provisions for Part 200 (Exemptions)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.980 to 202.989 are reserved for use in this Subpart.

**Subpart 202.HM Transitional provisions for Part 201 (Miscellaneous)**

*Note 1* This Subpart heading is reserved for future use.

*Note 2* Regulation numbers 202.990 to 202.999 are reserved for use in this Subpart.



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## Dictionary

(regulation 1.4)

### Part 1 Definitions

*Act* means the *Civil Aviation Act 1988*.

*aerodrome certificate* means a certificate granted under regulation 139.050.

*aerodrome facilities and equipment* means facilities and equipment, inside or outside the boundaries of an aerodrome, that are installed or maintained for use by aircraft operating at the aerodrome.

*aerodrome manual*, for a certified aerodrome, means the aerodrome manual for the aerodrome required by regulation 139.090.

*aerodrome marking* includes a permanent or temporary marker, a movement area guidance sign and a road sign.

*aerodrome operator*:

- (a) for a certified aerodrome — means the person who holds the aerodrome certificate for the aerodrome; and
- (b) for a registered aerodrome — means the operator of the aerodrome; and
- (c) for an aerodrome to which Subpart 139.D applies — means the person who is responsible for the operation and maintenance of the aerodrome.

*aerodrome serviceability inspection*, of an aerodrome, means an inspection of the aerodrome mentioned in regulation 139.220.

*aerodrome technical inspection*, of aerodrome facilities for an aerodrome, means an inspection of the aerodrome facilities mentioned in regulation 139.230.

*aerodrome works* means any construction or maintenance work on or near the movement area of an aerodrome that may create an obstacle, or restrict the normal take-off and landing of aircraft, at the aerodrome.

*AGL* means above ground level.

*AIP* means the publication mentioned in paragraph 4.12 (1) (a) of the Air Services Regulations, as that publication is in effect or exists from time to time.

**AIP-ERSA** means the Aeronautical Information Publication Enroute Supplement Australia published jointly by the Australian Air Force and AA, as in force from time to time.

**aircraft engineer licence** means any of the following licences granted under regulation 66.025:

- (a) subcategory A1;
- (b) subcategory A2;
- (c) subcategory A3;
- (d) subcategory A4;
- (e) subcategory B1.1;
- (f) subcategory B1.2;
- (g) subcategory B1.3;
- (h) subcategory B1.4;
- (i) category B2;
- (j) category C.

**aircraft registration identification plate** see regulation 45.140.

**air security officer** means:

- (a) a protective service officer or special protective service officer of the Australian Federal Police who is directed by the Commissioner to carry out the duties of a position of air security officer; or
- (b) a person who is:
  - (i) employed and trained by a foreign government to travel on aircraft to provide security for aircraft and their passengers and crew (other than a person who is employed to provide exclusive personal protection for 1 or more individuals travelling on an aircraft); and
  - (ii) operating in accordance with an arrangement between the foreign government and the Australian Government.

**airship** means a powered, lighter-than-air aircraft.

**air traffic control function** means a function described in a paragraph of subregulation 65.075 (2).

**air transport operations** means operations for a commercial purpose mentioned in paragraph 206 (1) (b) or (c) of CAR.

**airworthiness directive** — see regulation 39.001A.

**AIS** has the meaning given in Annex 15 to the Chicago Convention.

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***amateur-built aircraft*** means an aircraft described in paragraph 21.191 (g).

***Amateur Built Aircraft Acceptance***, or ***ABAA***, means a document given by CASA or an authorised person as a type approval for an amateur-built aircraft.

***amphibian*** means an aeroplane that is designed to take off from, and land on, either land or water.

***AOC*** — see subsection 3 (1) of the Act.

***APMA*** means Australian Parts Manufacturer Approval.

***appliance*** means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communication equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine or propeller.

*Source* FARs section 1.1.

***apron***, of an aerodrome, has the meaning given by the Air Services Regulations.

***approved*** means approved by CASA.

***approved form*** means:

- (a) for an application — the form approved by CASA under subregulation 11.030 (3) for the application (if any); and
- (b) for a document other than an application — the form approved by CASA under regulation 11.018 for the document (if any).

***approved maintenance data*** — see regulation 2A of CAR.

***ARFFS provider*** has the meaning given by subregulation 139.705 (1).

***ARN*** or ***Aviation Reference Number*** means the unique identifier assigned to a person by CASA for the purposes of CASA's records.

***article manufacturer*** — see paragraph 21.601 (2) (e).

***ATC licence*** means an air traffic controller licence granted under Part 65.

***ATS provider*** has the meaning given by regulation 172.015.

***ATS training provider*** has the meaning given by regulation 143.015.

***ATSO*** means an Australian Technical Standard Order mentioned in paragraph 21.601 (2) (a).

***ATSO authorisation*** — see paragraph 21.601 (2) (b).

**Australian Civil Aircraft Register** means the register established and maintained under regulation 47.025.

**Australian nationality mark** see regulation 45.015.

**Australian Parts Manufacturer Approval** or **APMA** means an Australian Parts Manufacturer Approval issued under subregulation 21.303 (9) or subregulation 21.305A (2).

**authorised person**, for a provision of CASR in which the expression occurs, means a person who is appointed under regulation 201.001 to be an authorised person for these regulations or the provision.

**authorised release certificate** has the meaning given by clause 18 of Part 2 of this Dictionary.

**balloon** means an unpowered, lighter-than-air aircraft.

**cabin crew member**, in relation to an aircraft, means a crew member, other than a flight crew member, who performs, in the interests of the safety of the aircraft's passengers, duties assigned by the operator or the pilot in command of the aircraft.

**CAR** means the *Civil Aviation Regulations 1988*.

**cargo** means things other than persons carried in an aircraft.

**carry-on baggage** means baggage or personal effects carried on, or to be carried on, to an aircraft by:

- (a) a passenger on the aircraft or a member of the aircraft's crew; or
- (b) an employee of the aircraft operator on behalf of a passenger or crew member.

**CASR** means the *Civil Aviation Safety Regulations 1998*.

**category**, in relation to the type certification of aircraft, means a grouping of aircraft based upon intended use and operating limitations (for example, transport, normal, utility, acrobatic, limited, restricted and provisional).

*Source* FARs section 1.1 modified.

**certificate of airworthiness** means a standard certificate of airworthiness or a special certificate of airworthiness.

**certificate of registration** means a certificate issued under regulation 47.090.

**certificate of release to service** means:

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- (a) for an aircraft — a document that complies with subregulation 42.760 (1); and
  - (b) for an aeronautical product — a document that complies with subregulation 42.810 (1) or (2).

**certification basis** means:

- (a) for an aircraft, aircraft engine or propeller for which there is a type certificate — the type certification basis for the aircraft, aircraft engine or propeller; and
- (b) for an aircraft, aircraft engine or propeller for which there is a foreign type certificate — the foreign type certification basis for the aircraft, aircraft engine or propeller.

**certified aerodrome** means an aerodrome in respect of which an aerodrome certificate is in force.

**certified UAV controller** — see regulation 101.240.

**charged with** an offence — see clause 25 of Part 2 of this Dictionary.

**checked baggage** means baggage or personal effects checked in by a passenger with an operator, or with another person providing a check-in service for an operator, as baggage or personal effects intended for carriage on the aircraft on which the passenger is travelling.

**Civil Air Regulations** means the Civil Air Regulations issued by the Administrator of the Federal Aviation Agency of the United States of America, as in force immediately before the commencement of the FARs.

**class**, in relation to an aircraft — see clause 30 of Part 2 of this Dictionary.

**Class I product** — see paragraph 21.321 (2) (a).

**Class I provisional certificate of airworthiness** means a Class I provisional certificate of airworthiness issued under regulation 21.216.

**Class I provisional type certificate** means a Class I provisional type certificate issued under regulation 21.076.

**Class II product** — see paragraph 21.321 (2) (b).

**Class II provisional certificate of airworthiness** means a Class II provisional certificate of airworthiness issued under regulation 21.216.

**Class II provisional type certificate** means a Class II provisional type certificate issued under regulation 21.076.

**Class III product** — see paragraph 21.321 (2) (c).

***continuing airworthiness management organisation*** means a person who holds an approval under regulation 42.590 that is in force.

***Contracting State*** — see section 3 of the Act.

***convicted*** of an offence — see clause 35 of Part 2 of this Dictionary.

***critical part***, for an aircraft, means a part that must be inspected, overhauled, or removed or retired from the aircraft within a period specified:

- (a) in the Airworthiness Limitations section of the Manufacturer's Maintenance Manual (as published from time to time by the aircraft's manufacturer) for the aircraft; or
- (b) in the Manufacturer's Instructions for Continued Airworthiness (as published by the manufacturer from time to time) for the aircraft.

***DAME*** means designated aviation medical examiner.

***DAO*** means designated aviation ophthalmologist.

***dealer's mark*** means a mark assigned to an aircraft manufacturer, distributor or dealer under regulation 47.175.

***delegation option authorisation*** means a delegation option authorisation issued under regulation 21.239.

***designated aviation medical examiner*** means:

- (a) a person appointed as a designated aviation medical examiner under Part 67; or
- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.055 (1); or
- (c) a person specified in a declaration under subregulation 67.055 (2); or
- (d) a person appointed as a designated aviation medical examiner under Part 6 of CAR as in force at any time before 3 September 2003.

***designated aviation ophthalmologist*** means:

- (a) a person appointed as a designated aviation ophthalmologist under Part 67; or
- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.075 (1); or
- (c) a person specified in a declaration under subregulation 67.075 (2).

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**Dictionary** means this Dictionary.

**engage in conduct** means:

- (a) do an act; or
- (b) omit to perform an act.

**European Aviation Safety Agency** or **EASA** means the European Aviation Safety Agency established by regulation (EC) No 1592/2002 of the European Parliament and the Council of the European Union.

**experimental certificate** means an experimental certificate issued under regulation 21.195A.

**expiation notice**, in relation to a psychoactive substance offence, means a notice requiring or permitting payment of a penalty as an alternative to prosecution.

**export airworthiness approval** means:

- (a) for a Class I product — an export certificate of airworthiness or an authorised release certificate; and
- (b) for a Class II or Class III product — an authorised release certificate.

**export certificate of airworthiness**, for a Class I product, means a certificate to the effect that the product meets the requirements mentioned in regulation 21.329.

**FAA letter of TSO design approval** — see paragraph 21.601 (2) (ca).

**FARs** means the Federal Aviation Regulations in Chapter 1 (Federal Aviation Administration, Department of Transportation) of Title 14 of the Code of Federal Regulations as published by the Office of the Federal Register National Archives and Records Administration of the United States of America.

**fireproof**, in connection with a manufacturer's data plate — see regulation 21.810.

**flight manual**, for an aircraft — see clause 37 of Part 2 of this Dictionary.

**flight service function** means the function described in subregulation 65.130 (2).

**flight service licence** means a licence by that name granted under Part 65.

***flight simulator***, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a simulator that simulates the aircraft in ground and flight operations and comprises:
  - (i) a full size replica of the flight deck of the aircraft; and
  - (ii) a visual system providing an out of the flight deck view; and
  - (iii) a force cueing motion system; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

***flight technical log***, for an aircraft, means the log required under regulation 42.220 for the aircraft.

***flight training device***, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a device that:
  - (i) simulates the aircraft in ground and flight operations to the extent of the systems installed in the device; and
  - (ii) comprises a full size replica of the instruments, equipment, panels and controls in an open flight deck area, or an enclosed flight deck, of the aircraft; and
  - (iii) does not, in every respect, simulate the aircraft in ground and flight operations; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

***foreign supplemental type certificate*** — see regulation 21.114.

***foreign type certification basis***, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a foreign type certificate.

***foreign type certificate*** — see regulation 21.041.

***free balloon*** means a balloon that is intended for flight without being permanently tethered.

***free balloon*** — see regulation 101.145.

***giant model aircraft*** — see regulation 101.380.



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**glider** means an unpowered, heavier-than-air aircraft that derives its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

**heavier-than-air aircraft** is the generic term for aircraft that derive their lift in flight chiefly from aerodynamic forces.

**heavy balloon** — see subregulation 101.145 (6).

**high power rocket** — see regulation 101.425.

**holder**, of an authorisation (within the meaning given by Part 11), means:

- (a) if the authorisation has not been transferred — the person to whom it was granted; or
- (b) if the authorisation has been transferred — the person to whom it was transferred or, if it has been transferred more than once, the person to whom it was most recently transferred.

**identification number** of a production certificate or type certificate means the number, or group of characters, described in the certificate as being its number.

**in an area**, used of the operation of an aircraft — see clause 40 of Part 2 of this Dictionary.

**incidental provisions**, of an instrument, or part of an instrument, mentioned in these regulations, means the provisions of the instrument, or part, that are not airworthiness standards.

**in-house maintenance**, for an aeronautical product (the **first aeronautical product**) to be fitted to an aircraft or another aeronautical product (the **second aeronautical product**), means maintenance carried out on the first aeronautical product by a Part 145 organisation that will fit the product to the aircraft or the second aeronautical product.

**in-house release document**, for an aeronautical product on which in-house maintenance has been carried out, means the document that:

- (a) is issued by the Part 145 organisation that carried out the in-house maintenance; and
- (b) includes a statement to the effect that, in respect of the in-house maintenance, the product is serviceable, within the meaning given by subregulation 42.015 (1); and
- (c) includes information enabling the identification of the record mentioned in regulation 42.820 for the product.

**instrument approach procedure** means a series of predetermined manoeuvres by reference to flight instruments with specified protection

from obstacles from the initial approach fix or, where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.

***instrument departure procedure***, for an aircraft, means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from take-off until the aircraft reaches:

- (a) the en-route lowest safe altitude; or
- (b) the minimum altitude at which the aircraft, on a minimum climb gradient of 3%, can intercept the planned flight route; or
- (c) in a case where the aircraft has taken off from an aerodrome for which there is a radar control service in operation — the minimum radar vector altitude.

***instrument flight procedures*** means the visual and instrument procedures for use by aircraft operating under the IFR.

***intermediate category***, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.026.

***kit-built aircraft*** means an aircraft described in paragraph 21.191 (h).

***kite*** means a glider normally moored to the ground.

***large UAV*** — see regulation 101.240.

***letter of ATSO design approval*** — see paragraph 21.601 (2) (c).

***licensed aircraft maintenance engineer*** means an individual who holds an aircraft engineer licence that is in force.

***light balloon*** — see subregulation 101.145 (4).

***light sport aircraft*** means an aircraft that:

- (a) has:
  - (i) if the aircraft is not intended for operation on water — a maximum take-off weight of 600 kilograms or less; or
  - (ii) if the aircraft is intended for operation on water — a maximum take-off weight of 650 kilograms or less; or
  - (iii) if the aircraft is a lighter-than-air aircraft — a maximum gross weight of 560 kilograms or less; and
- (b) if the aircraft is a powered aircraft — has a single, non-turbine engine fitted with a propeller; and

- 
- (c) has a maximum stall speed in the landing configuration ( $V_{so}$ ) of 45 knots calibrated air speed; and
  - (d) if the aircraft is a glider — has a maximum never-exceed speed ( $V_{ne}$ ) of 135 knots calibrated air speed; and
  - (e) if the aircraft has a cabin — has an un-pressurised cabin; and
  - (f) if the aircraft is designed to be equipped with seating — has a maximum seating capacity of 2 persons, including the pilot; and
  - (g) if the aircraft is a manned free balloon that is not designed to be equipped with seating — can carry no more than 2 persons; and
  - (h) has:
    - (i) in the case of an amphibian — repositionable landing gear; or
    - (ii) in the case of a glider — fixed landing gear or retractable landing gear; or
    - (iii) in any other case — fixed landing gear.

**lighter-than-air aircraft** is the generic term for aircraft that are supported chiefly by their buoyancy in the air.

**limited category**, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a special certificate of airworthiness mentioned in regulation 21.189.

**lowest safe altitude** has the same meaning as in the AIP.

**major change**, for a type design — see regulation 21.093.

**major defect** means:

- (a) in relation to an aeronautical product that is not fitted to an aircraft — a defect of such a kind that the aeronautical product, if fitted to an aircraft, may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property; and
- (b) in relation to an aircraft — a defect of such a kind that it may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property.

**manned free balloon** means a free balloon that:

- (a) is capable of carrying 1 or more persons; and
- (b) is equipped with controls that enable the altitude of the balloon to be controlled.

**markings** of an Australian aircraft — see subregulation 45.025 (1).

**Materials Review Board** means:

- (a) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a type certificate only — the Materials Review Board established under paragraph 21.125 (1) (a); and
- (b) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a production certificate — the Materials Review Board established under regulation 21.145.

**maximum carrying capacity**, for an aircraft, means the maximum payload permitted under the aircraft's certificate of type approval.

**maximum passenger seating capacity**, for an aircraft, means the maximum number of seats for persons (excluding flight crew and cabin crew) in the aircraft that is:

- (a) approved by CASA; and
- (b) specified in the aircraft operator's operations manual.

**medical certificate** means a medical certificate issued under Part 67 and includes a medical certificate (including a special medical certificate) issued under Part 6 of CAR, as in force immediately before the commencement of this regulation.

**medium balloon** — see subregulation 101.145 (5).

**micro UAV** — see regulation 101.240.

**minimum equipment list**, for an aircraft, means a list of each defect in the aircraft that is approved as a permissible unserviceability under regulation 37 of CAR.

**minor change**, for a type design — see regulation 21.093.

**model**, for an aircraft, aircraft engine or propeller, means a particular version of a type of aircraft, aircraft engine or propeller that is distinguished from another version of the same type by a change of sufficient effect on the weight, balance, structural strength, operational characteristics as would require a separate entry on a type certificate, identifying and approving the particular version as distinct from the identification and approval of other versions.

**model aircraft** means an aircraft that is used for sport or recreation, and cannot carry a person.

**model rocket** — see regulation 101.425.

**modification/repair design approval** means an approval granted under regulation 21.435 or 21.437.

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**NAA**, for a country other than Australia, means:

- (a) the national airworthiness authority of the country; or
- (b) EASA, in relation to any function or task that EASA carries out on behalf of the country.

**nominated person**, for a delegation option authorisation — see subregulation 21.235 (3).

**non-precision approach runway** has the same meaning as in Annex 14, Aerodromes, to the Chicago Convention.

**NOTAM Office** means the office of AA responsible for the publication of NOTAMS.

**obstacle** means an object that extends above part of an obstacle limitation surface of an aerodrome.

**obstacle limitation surface**, of an aerodrome, means an obstacle limitation surface established in accordance with regulation 139.355.

**off-shore installation** means an installation that is erected on, or floating in the sea above, the continental shelf for the purpose of extracting, or exploring for, petroleum or natural gas.

**operations manual**, for an operator, means the manual required to be provided by the operator under regulation 215 of CAR.

*Note* The definition of **operator** in subregulation 2 (1) of CAR is as follows:

**operator** means a person, organisation, or enterprise engaged in, or offering to engage in, an aircraft operation.

**overhauled** — see paragraph 21.321 (2) (d).

**Part 42 Manual of Standards** means the Manual of Standards issued by CASA under regulation 42.020.

**Part 145 organisation** means a person who holds an approval under regulation 145.030 that is in force.

**pilot-owner**, of an aircraft, means an individual who:

- (a) owns the aircraft; and
- (b) is authorised, under Part 5 of CAR, to fly the aircraft.

**powered aircraft** means an aircraft that is propelled by an engine or engines.

**powered parachute** means a powered aircraft that has the characteristics of a parachute when its engine or engines are not operated.

**powered sailplane** means an aircraft with one or more engines that has the characteristics of a sailplane when the engine or engines are inoperative.

**primary category**, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.024.

**probity offence** means an offence the substance of which is:

- (a) the giving, receiving, offering or soliciting of a bribe to influence the performance of an official function or duty; or
- (b) the making of an unwarranted demand with menaces (within the meaning of Division 139 of the *Criminal Code*) of a person exercising an official function during the performance of that function; or
- (c) fraudulent conduct (within the meaning of Part 7.3 of the *Criminal Code*);

whether under the law of the Commonwealth, a State, a Territory or another country.

**production certificate** means a production certificate issued under subregulation 21.134 (1).

**prohibited area** has the same meaning as in regulation 3 of the *Airspace Regulations 2007*.

**provisional certificate of airworthiness** means a Class I or Class II provisional certificate of airworthiness.

**provisional type certificate** means a Class I or Class II provisional type certificate.

**psychoactive substance** — see clause 60 of Part 2 of this Dictionary.

**psychoactive substance offence** means an offence:

- (a) of which an element is the possession, use or excessive use of a psychoactive substance; or
- (b) of which the substance is importing, or trafficking in, a psychoactive substance; or
- (c) of which an element is being under the influence of a psychoactive substance; or
- (d) of which an element is the presence, or the presence at a concentration higher than a particular concentration, in the blood, breath or urine of a psychoactive substance or a metabolite of such a substance; or

- (e) the substance of which is refusal to provide a blood, breath or urine sample for analysis; or
- (f) of attempting to commit, inciting the commission of or conspiring to commit an offence referred to in paragraph (a), (b), (c), (d) or (e).

*Note* **Psychoactive substance** includes alcohol but does not include coffee, tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine, or caffeine-containing confectionery — see Part 2 of this Dictionary.

**qualified flight simulator** means a flight simulator that is qualified under Part 60 of CASR.

**qualified flight training device** means a flight training device that is qualified under Part 60 of CASR.

**recognised country** — see regulation 21.012.

**recreational unmanned aircraft** means an aircraft that:

- (a) is not designed for, nor capable of, accommodating a person; and
- (b) is used only for sport and recreation.

**registered** means registered under Part 47.

**registered aerodrome** means an aerodrome that is registered under regulation 139.265.

**registered operator**, of an aircraft, has the meaning given by regulation 47.100.

**registration holder** of an aircraft means the person whose name is entered in the Australian Civil Aircraft Register as that of the aircraft's owner.

**registration mark** — see regulation 45.020.

**regular public transport operations** means operations for the commercial purpose mentioned in paragraph 206 (1) (c) of CAR.

**restricted area** has the same meaning as in regulation 3 of the *Airspace Regulations 2007*.

**restricted category**, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.025.

**rocket** means a pilotless vehicle powered by reaction that carries all the components necessary to provide its jet.

**sailplane** means a heavier-than-air aircraft:

- (a) that is supported in flight by the dynamic reaction of the air against its fixed lifting surfaces; and
- (b) the free flight of which does not depend on an engine.

**set of markings** of an Australian aircraft — see subregulation 45.025 (2).

**small balloon** — see subregulation 101.145 (3).

**small UAV** — see regulation 101.240.

**special certificate of airworthiness** — see regulation 21.175.

**special class**, for aircraft — see subregulation 21.017 (2).

**special condition** means a special condition imposed under subregulation 21.016 (1).

**special flight permit** means a special flight permit issued under regulation 21.200.

**specialised helicopter operation** means a helicopter operation that involves the carriage of persons or cargo:

- (a) between the coast of Australia and an off-shore installation; or
- (b) between off-shore installations; or
- (c) to or from the helipad of:
  - (i) a hospital; or
  - (ii) a State or Territory service (however described) established to provide assistance in emergencies.

**standard certificate of airworthiness** see regulation 21.175.

**standard part** means a part that complies with a specification that:

- (a) is established, published and maintained by:
  - (i) an organisation that sets consensus standards for products; or
  - (ii) a government agency; and
- (b) includes:
  - (i) design, manufacturing, test and acceptance criteria; and
  - (ii) requirements for the uniform identification of the part.

*Example for subparagraph (a) (i)*

The Institute of Electrical and Electronics Engineers — see <http://www.ieee.org/portal/site>.

**State of Design** has the meaning given by Annex 8 to the Chicago Convention.



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**supplemental type certificate** means a supplemental type certificate issued under regulation 21.113A.

**synthetic training device** means:

- (a) a flight simulator; or
- (b) a flight training device; or
- (c) a basic instrument flight trainer.

**terminal instrument flight procedure** means an instrument approach procedure or instrument departure procedure.

**tethered**, in relation to a lighter-than-air aircraft, means attached to the ground, or an object on the ground, by flexible restraints that limit movement.

**tethered balloon** — see regulation 101.105.

**these Regulations** includes CAR.

**time-in-service** means:

- (a) for an aircraft — each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight; and
- (b) for an aircraft engine or propeller that is fitted to an aircraft — each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight.

**TSO** — see paragraph 21.601 (2) (ab).

**type**, for an aircraft, aircraft engine or propeller, means a design and make of aircraft, aircraft engine or propeller and, where appropriate, refers to a group of essentially similar aircraft, aircraft engines or propellers which, although possibly existing in different models, stem from a common basic design.

**type acceptance certificate** means a type acceptance certificate issued under regulation 21.029A.

**type certificate** — see regulation 21.041.

**type certificated** means issued with a type certificate or type acceptance certificate.

**type certificate data sheet** means a sheet attached to a type certificate for an aircraft, aircraft engine or propeller that sets out the limitations prescribed by the applicable airworthiness requirements for the aircraft, aircraft engine or propeller, and any other limitations and information necessary for type certification of the aircraft, aircraft engine or propeller.

**type certification basis**, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a type certificate.

**type design** — see regulation 21.031.

**UAV** — see regulation 101.240.

**unmanned free balloon** means a balloon other than a manned free balloon.

**unpowered aircraft** means an aircraft other than a powered aircraft.

**very light aeroplane** means an aeroplane of a kind mentioned in clause CS-VLA 1 of EASA CS-VLA, as in force from time to time.

$V_{so}$  means the stalling speed or the minimum steady flight speed in the landing configuration.

Source FARs section 1.2.

## **Part 2 Interpretation of certain expressions not defined in Part 1**

### **1 Parts and materials excluded from the definition of *aeronautical product***

- (1) For the definition of *aeronautical product* in section 3 of the Act, a part or material that is part of or used in an aircraft is excluded if:
  - (a) the part or material:
    - (i) is not mentioned in the approved design for the aircraft; and
    - (ii) is not approved in a manner mentioned in regulation 21.305 or 21.305A; or
  - (b) the part or material is mentioned in a legislative instrument issued under subclause (2).
- (2) For subsection 98 (5A) of the Act, CASA may issue a legislative instrument that specifies that a part or material is excluded from the definition of *aeronautical product* in section 3 of the Act.

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**5 When an aircraft is *airworthy***

*Note* This clause is reserved for future use.

**15 Reference to Annexes to Chicago Convention**

In these Regulations, a reference to an Annex to the Chicago Convention is a reference to that Annex as in force from time to time.

**18 Meaning of *authorised release certificate***

- (1) For the purposes of CAR:  
*authorised release certificate*, for an aircraft component, means a document that complies with regulation 42WA of CAR.
- (2) For the purposes of CASR:  
*authorised release certificate*, for an aeronautical product, means:
  - (a) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by or under Part 21 — a document:
    - (i) issued by the manufacturer of the product; and
    - (ii) that includes a statement to the effect that the product is serviceable, within the meaning given by subregulation 42.015 (1); or
  - (b) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by the law of a foreign country — a document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (a); or
  - (c) if maintenance has been carried out on the product under these Regulations — a certificate of release to service for the product in relation to the maintenance issued under Division 42.H.4 that is in the approved form; or

- (d) if maintenance has been carried out on the product under the law of a foreign country — a document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (c).

*Note for paragraph (a)* Part 21 permits the manufacture of aeronautical products in a number of ways, including under APMAs, ATSO authorisations, type certificates and production certificates.

*Note 1 for paragraph (c)* Under subregulation 42.810 (1), a certificate of release to service for an aeronautical product in relation to maintenance carried out on an aeronautical product that is not in-house maintenance must be in the approved form.

*Note 2 for paragraph (c)* Under subregulation 42.810 (2), a certificate of release to service for an aeronautical product in relation to in-house maintenance carried out on an aeronautical product must either be in the approved form or be in the form of an in-house release document.

## 25 **Extended meaning of *charged with* in relation to certain offences**

- (1) In these Regulations:  
*charged with* has, in addition to its ordinary meaning, the meaning given by subclause (2).
- (2) For the purposes of these Regulations, a person is taken to have been *charged with* a psychoactive substance offence if:
- (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
  - (b) such a notice is issued to the person in relation to the offence.

## 30 **Classes of aircraft**

For these Regulations, aircraft are divided into the following *classes*:

- (a) aeroplane;
- (b) rotorcraft;
- (c) ornithopter;
- (d) glider;
- (e) kite;
- (f) airship;

- (g) captive balloon;
- (h) free balloon.

### 35 Extended meaning of *convicted*

- (1) In these Regulations:  
*convicted* has, in addition to its ordinary meaning, the meaning given by subclauses (2), (3) and (4).
- (2) For the purposes of these Regulations, a person is taken to have been *convicted* of an alleged offence if:
  - (a) the person has not been found guilty of the offence but asks for the offence to be taken into account when being sentenced for another offence; or
  - (b) the person has been found guilty of the offence but discharged without conviction.
- (3) In addition, a person is taken to have been *convicted* of a psychoactive substance offence if:
  - (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
  - (b) such a notice was issued to the person in relation to the offence; and
  - (c) the person paid the penalty required by the notice.
- (4) However, a conviction that is spent (within the meaning of Part VIIC of the *Crimes Act 1914*), or has been quashed, is not taken to be a conviction for the purposes of these Regulations.

### 37 References to *flight manual*

A reference in these Regulations to an aircraft's *flight manual*:

- (a) is a reference to:
  - (i) if the aircraft's type certification basis required the provision of an aircraft flight manual — that manual; or
  - (ii) if regulation 21.005 applies to the aircraft — the manual that must be given to the owner of the aircraft under that regulation; or

- (iii) for an aircraft not mentioned in subparagraph (i) or (ii) — another document that contains the aircraft’s operating limitations and other information required for safe operation of the aircraft; and
- (b) includes each amendment to the flight manual that:
  - (i) is approved by CASA or an authorised person under regulation 21.006A; or
  - (ii) is made at the direction of CASA under Subpart 11.G; or
  - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the NAA that issued the foreign type or supplemental type certificate; and
- (c) includes each supplement to the flight manual that:
  - (i) is approved by CASA or an authorised person under regulation 21.006A; or
  - (ii) is made at the direction of CASA under Subpart 11.G; or
  - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the NAA that issued the foreign type or supplemental type certificate.

**40      References to operating an aircraft in an area**

In these Regulations, a reference to operating an aircraft in an area is a reference to operating the aircraft in the airspace above the area.

**45      References to EASA certification specifications**

In these Regulations, a reference to EASA, followed by the letters CS, a hyphen and a number, letter or letters, is a reference to the certification specifications, including airworthiness codes and acceptable means of compliance, produced by EASA and identified by that number, letter or letters.

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**50 References to pilot-in-command**

*Note* This clause is reserved for future use.

**55 References to populous areas etc**

*Note* This clause is reserved for future use.

**60 Meaning of *psychoactive substance***

- (1) In these Regulations:

*psychoactive substance* has, subject to subclause (2), the meaning given by section 1.1 of Annex 1, *Personnel Licensing*, to the Chicago Convention.

*Note* The definition in that Annex is:

*Psychoactive substances*. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

- (2) To avoid doubt, in these Regulations:

*psychoactive substance*:

- (a) includes:

- (i) a therapeutic substance that is a psychoactive substance within the meaning given by Annex 1 to that Convention; and
- (ii) a therapeutic substance of which a psychoactive substance (within the meaning given by that Annex) is an ingredient; but

- (b) does not include:

- (i) tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine or guarana; or
- (ii) confectionery containing caffeine or guarana.

- (3) In paragraph (a) of the definition of *psychoactive substance* in subclause (2):

*therapeutic substance* means a substance that is therapeutic goods, within the meaning given by the *Therapeutic Goods Act 1989*.

**65 Recognised foreign training providers**

*Note* This clause is reserved for future use.

### **Part 3 Definitions for this Part, Parts 42, 66, 145 and 147 and Subparts 202.BA, 202.CG, 202.GE and 202.GG**

#### **1 General**

In this Part, Parts 42, 66, 145 and 147, and Subparts 202.BA, 202.CG, 202.GE and 202.GG:

***aircraft type training***, for a rating, means the training for the rating delivered by a maintenance training organisation in accordance with a course plan for the training approved by CASA under regulation 147.030.

***approval rating***:

- (a) for a Subpart 42.F organisation — has the meaning given by subregulation 42.015 (1); and
- (b) for a Part 145 organisation — has the meaning given by subregulation 145.010 (1).

***approved maintenance organisation*** means a Subpart 42.F organisation or a Part 145 organisation.

***aviation industry standard*** means a document specified in the Part 42 Manual of Standards as an aviation industry standard.

***base maintenance***, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being base maintenance for the organisation.

***carries out maintenance***, in relation to an approved maintenance organisation, has the meaning given by subclause 5 (5).

***carrying out maintenance on an aeronautical product*** has the meaning given by subclause 5 (2).

***carrying out maintenance on an aircraft*** has a meaning affected by clause 5.

***category A licence*** means a subcategory A1, A2, A3 or A4 aircraft engineer licence.



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**category B1 licence** means a subcategory B1.1, B1.2, B1.3 or B1.4 aircraft engineer licence.

**category B2 licence** means a category B2 aircraft engineer licence.

**category C licence** means a category C aircraft engineer licence.

**category training**, for a category A, B1 or B2 licence, means training in the required units of competency for the licence.

**certification authorisation** means an authorisation that an approved maintenance organisation grants to an individual in accordance with the Part 42 Manual of Standards or the Part 145 Manual of Standards to do either or both of the following on behalf of the organisation:

- (a) perform maintenance certifications;
- (b) issue certificates of release to service.

**certifying employee**, for particular maintenance, means an individual who holds a certification authorisation that is in force from an approved maintenance organisation for the maintenance.

**employee**, in relation to an approved maintenance organisation, includes a maintenance services subcontractor.

**excluded State** means a foreign country specified as an excluded State in the Part 66 Manual of Standards.

**exempt public authority** has the meaning given by section 9 of the *Corporations Act 2001*.

**foreign company** means:

- (a) a body corporate:
  - (i) that is incorporated in an external Territory, or outside Australia and the external Territories; and
  - (ii) that is not an exempt public authority; or
- (b) an unincorporated body that:
  - (i) is formed in an external Territory, or outside Australia and the external Territories; and
  - (ii) under the law of its place of formation, may sue or be sued, or may hold property in the name of its secretary or of an officer of the body duly appointed for that purpose; and

- (iii) does not have its head office or principal place of business in Australia.

***foreign licence*** means:

- (a) a licence that:
  - (i) is granted under a national aviation law of a foreign country, other than a foreign country that is an excluded State; and
  - (ii) complies with Annex 1, *Personnel Licensing*, to the Chicago Convention; and
  - (iii) deals with the provision of maintenance services; or
- (b) an authorisation that:
  - (i) is issued by a foreign company, other than a foreign company incorporated or formed in an excluded State; and
  - (ii) deals with the provision of maintenance services; or
- (c) a licence mentioned in paragraph (a) and an authorisation mentioned in paragraph (b) that together deal with the provision of maintenance services.

***instructions for continuing airworthiness***, for an aircraft or aeronautical product, has the meaning given by clause 10.

***large aircraft*** means:

- (a) an aeroplane that:
  - (i) has a maximum take-off weight of more than 5 700 kg; and
  - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b) (ii) of the definition of small aircraft; or
- (b) an aeroplane that:
  - (i) has a maximum take-off weight of not more than 5 700 kg; and
  - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft; or
- (c) a helicopter that:
  - (i) has more than 1 engine; and
  - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d) (ii) of the definition of small aircraft; or

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- (d) a helicopter that:
- (i) has only 1 engine; and
  - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft.

**line maintenance**, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being line maintenance for the organisation.

**maintenance certification** means a certification performed under Division 42.H.2.

**maintenance data** has the meaning given by clause 15.

**maintenance services** means the following:

- (a) carrying out maintenance on an aircraft or an aeronautical product;
- (b) performing maintenance certification for maintenance carried out on an aircraft;
- (c) issuing a certificate of release to service for an aircraft or aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product.

**maintenance services subcontractor**, for an approved maintenance organisation, has the meaning given by clause 20.

**maintenance training** means category training or aircraft type training.

**maintenance training organisation** means a person who holds an approval under regulation 147.030 that is in force.

**Part 66 Manual of Standards** means the Manual of Standards issued by CASA under regulation 66.015.

**Part 145 Manual of Standards** means the Manual of Standards issued by CASA under regulation 145.015.

**Part 147 Manual of Standards** means the Manual of Standards issued by CASA under regulation 147.015.

**permitted aircraft type** means an aircraft type, within the meaning given by subregulation 66.010 (1), specified in the Part 66 Manual of Standards as one for which an approved maintenance organisation may arrange for the manufacturer of the aircraft or the aircraft engine to provide training and assessment.

***permitted training*** means:

- (a) training and assessment for an aircraft type, within the meaning given by subregulation 66.010 (1), aircraft system or subset of an aircraft system specified in the Part 66 Manual of Standards as one for which a Part 145 organisation may provide training and assessment; or
- (b) training and assessment for a permitted aircraft type.

***provides*** has the meaning given by clause 25.

***rating*** means an authorisation granted under regulation 66.080, being a permission:

- (a) to perform maintenance certification, under a category B1 or B2 licence, for maintenance carried out on a particular type rated aircraft type; or
- (b) to issue a certificate of release to service, under a category B1, B2, or C licence, for an aircraft of a particular type rated aircraft type in relation to maintenance carried out on the aircraft.

***recognised State*** means a foreign country specified as a recognised State in the Part 66 Manual of Standards.

***small aircraft*** means:

- (a) an aeroplane that:
  - (i) has a maximum take-off weight of not more than 5 700 kg; and
  - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b) (ii) of the definition of large aircraft; or
- (b) an aeroplane that:
  - (i) has a maximum take-off weight of more than 5 700 kg; and
  - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft; or
- (c) a helicopter that:
  - (i) has only 1 engine; and
  - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d) (ii) of the definition of large aircraft; or

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- (d) a helicopter that:
- (i) has more than 1 engine; and
  - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft.

**specialist maintenance** means:

- (a) for a Subpart 42.F organisation:
  - (i) maintenance specified in the Part 42 Manual of Standards as specialist maintenance; and
  - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation; and
- (b) for a Part 145 organisation:
  - (i) maintenance specified in the Part 145 Manual of Standards as specialist maintenance; and
  - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation.

**Subpart 42.F organisation** means a person who holds an approval under regulation 42.515 that is in force.

**supervising**, in relation to maintenance being carried out, has the meaning given by clause 30.

**type rated aircraft type**, for an aircraft engineer licence, means an aircraft type, within the meaning given by subregulation 66.010 (1), specified in the Part 66 Manual of Standards as a type rated aircraft type for the licence.

**unit of competency** means a unit of the Australian Quality Training Framework Aeroskills Training Package, as in force from time to time.

## 5 Definitions relating to carrying out maintenance

### **Meaning of carrying out maintenance on an aircraft**

- (1) A 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, in the circumstances mentioned in subclause (3) or (4).

***Meaning of carrying out maintenance on an aeronautical product***

- (2) A reference to ***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, other than in the circumstances mentioned in subclause (3) or (4).
- (3) The circumstances are that:
  - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
  - (b) the removal of the removed product is permitted, by the maintenance data for maintenance to be carried out on the removed product, for the purpose of improving access for the carrying out of maintenance on that product; and
  - (c) the removed product is returned to the same location on the aircraft at the completion of the maintenance for which it was removed.
- (4) The circumstances are that:
  - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
  - (b) the removal of the removed product is for the purpose of carrying out maintenance that is necessary to rectify a defect in the removed product; and
  - (c) the maintenance data for the maintenance does not require the use of specified tools or equipment for carrying out the maintenance; and
  - (d) the removed product is returned to the same location on the aircraft at the completion of the maintenance; and
  - (e) the serviceability of the removed product can be tested, using an aircraft system, after the removed product is returned to the aircraft.

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*Carrying out of maintenance by approved maintenance organisations*

- (5) An approved maintenance organisation *carries out maintenance* if the maintenance is carried out on the organisation's behalf by an individual.

**10 Meaning of *instructions for continuing airworthiness***

- (1) *Instructions for continuing airworthiness*, for an aircraft or aeronautical product, means written instructions, as in force from time to time:
- (a) that specify requirements, procedures and standards for the continuing airworthiness of the aircraft or aeronautical product; and
  - (b) that are:
    - (i) issued by any of the persons mentioned in subclause (2); or
    - (ii) for an aircraft or aeronautical product for which there is a design for a modification or repair that is taken to have been approved under subregulation 21.465 or 21.470 — included, or referred to, in the document that contains the design.
- (2) The persons are the following:
- (a) the holder of the type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate for the aircraft or aeronautical product;
  - (b) the holder of any of the following for the design of a modification of, or a repair to, the aircraft or aeronautical product:
    - (i) a modification/repair design approval; or
    - (ii) an approval granted in accordance with a method specified in a legislative instrument issued under regulation 21.475; or
    - (iii) an approval that continues in force under regulation 202.054, 202.055 or 202.056;
  - (c) the manufacturer of the aircraft or aeronautical product.

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**15 Meaning of *maintenance data***

- (1) Subject to subclauses (2), (3) and (4), *maintenance data*, for maintenance to be carried out on an aircraft or aeronautical product, means procedures for carrying out the maintenance, as in force from time to time, that are mentioned in:
  - (a) the instructions for continuing airworthiness for the aircraft or aeronautical product; or
  - (b) if the instructions for continuing airworthiness do not include procedures for carrying out the maintenance — an aviation industry standard that applies to the maintenance.
- (2) Subject to subclauses (3) and (4), if, at a particular time:
  - (a) a Part 145 organisation is carrying out maintenance on an aircraft or aeronautical product; and
  - (b) the organisation has written a procedure for carrying out the maintenance;then, at that time, the procedure written by the organisation is the *maintenance data* for the maintenance for the organisation.
- (3) Subject to subclause (4), if, at a particular time:
  - (a) a continuing airworthiness management organisation is providing continuing airworthiness services for an aircraft; and
  - (b) the organisation has written a procedure for carrying out the maintenance on the aircraft or on an aeronautical product fitted to the aircraft;then, at that time, the procedure written by the organisation is the *maintenance data* for the maintenance for the aircraft or aeronautical product.
- (4) If, at a particular time, an airworthiness directive that applies to an aircraft or aeronautical product mentions a procedure for carrying out the maintenance, then, at that time, the procedure in the airworthiness directive is the *maintenance data* for the maintenance.



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**20**      **Meaning of *maintenance services subcontractor***

- (1) A person is a *maintenance services subcontractor* in relation to an approved maintenance organisation if the person is a party to a written contract with the organisation to provide maintenance services on behalf of the organisation.
- (2) An employee of a maintenance services subcontractor under subregulation (1) is also a *maintenance services subcontractor*.

**25**      **Meaning of *provides***

An organisation *provides* any of the following services or training if its employees provide the service or training for or on behalf of the organisation:

- (a) maintenance services;
- (b) permitted training;
- (c) continuing airworthiness management services;
- (d) maintenance training.

**30**      **Meaning of *supervising***

A person (the *supervisor*) is *supervising* the carrying out of maintenance done by another person if the supervisor:

- (a) is physically present at the place that the maintenance is being carried out; and
- (b) is observing the maintenance being carried out to the extent necessary to enable the supervisor to form an opinion as to whether the maintenance is being carried out properly; and
- (c) is available to give advice to, and answer questions about the maintenance from, the person carrying it out.

**Table of Instruments****Notes to the *Civil Aviation Safety Regulations 1998*****Note 1**

The *Civil Aviation Safety Regulations 1998* (in force under the *Civil Aviation Act 1988*) as shown in this compilation comprise Statutory Rules 1998 No. 237 amended as indicated in the Tables below.

**Table of Instruments**

| <b>Year and number</b> | <b>Date of notification in <i>Gazette</i> or FRLI registration</b> | <b>Date of commencement</b>  | <b>Application, saving or transitional provisions</b> |
|------------------------|--|--|---|
| 1998 No. 237           | 22 July 1998   | Subparts F, G, J, K and O of Part 21: 1 Dec 1998<br>Remainder: 1 Oct 1998              |   |
| 1999 No. 166           | 16 Aug 1999  | Schedule 2 (Part 2): 1 Dec 1999<br>Remainder: 16 Aug 1999                              | —   |
| 1999 No. 262           | 27 Oct 1999  | Rr. 1–5 and Schedule 2: 27 Oct 1999<br>Schedule 3: 1 Dec 1999<br>Remainder: 1 Jan 2000 | —   |
| 2000 No. 7             | 23 Feb 2000  | 23 Feb 2000  | —   |
| 2000 No. 204 (a)       | 31 July 2000   | Rr. 1–3 and Schedule 1: 31 July 2000<br>Remainder: 1 Oct 2000                          | Rr. 5–8 (rep. by 2004 No. 345, Sch. 3 item [1])       |
| <b>as amended by</b>   |  |  |   |
| 2004 No. 345           | 8 Dec 2004   | (see 2004 No. 345 below)   | —   |
| 2000 No. 227           | 17 Aug 2000  | Schedule 1: 1 Dec 1998<br>Schedules 4 and 5: 1 Sept 2000<br>Remainder: 17 Aug 2000     | R. 4  |
| 2001 No. 34            | 1 Mar 2001   | 1 Mar 2001   | —   |
| 2001 No. 242           | 5 Sept 2001  | 5 Sept 2001  | —   |

**Table of Instruments**

| <b>Year and number</b> | <b>Date of notification in <i>Gazette</i> or FRLI registration</b> | <b>Date of commencement</b>  | <b>Application, saving or transitional provisions</b>                             |
|------------------------|--|--|---|
| 2001 No. 349           | 21 Dec 2001  | 1 July 2002  | R. 4 (am. by 2002 No. 79, Sch. 1 [item 1]; rep. by 2004 No. 345, Sch. 4 [item 1]) |
| <b>as amended by</b>   |  |  |   |
| 2002 No. 79            | 18 Apr 2002  | 18 Apr 2002  | —   |
| 2004 No. 345           | 8 Dec 2004   | (see 2004 No. 345 below)   | —   |
| 2002 No. 167           | 3 July 2002  | 1 May 2003   | R. 5 (rep. by 2004 No. 345, Sch. 5 [item 1])                                      |
| <b>as amended by</b>   |  |  |   |
| 2004 No. 345           | 8 Dec 2004   | (see 2004 No. 345 below)   | —   |
| 2002 No. 266           | 6 Nov 2002   | 1 July 2002  | —   |
| 2002 No. 268           | 6 Nov 2002   | 6 Nov 2002   | —   |
| 2002 No. 320           | 19 Dec 2002  | 19 Dec 2002  | —   |
| 2002 No. 321           | 19 Dec 2002  | 19 Dec 2002  | —   |
| 2002 No. 349           | 20 Dec 2002  | 20 Dec 2002  | —   |
| 2002 No. 350           | 20 Dec 2002  | 20 Dec 2002  | —   |
| 2003 No. 58            | 14 Apr 2003  | Rr. 1–5 and Schedule 3:<br>14 Apr 2003<br>Remainder: 2 May 2003                                      | —   |
| 2003 No. 75            | 1 May 2003   | Rr. 1–4 and Schedules 1 and 2: 1 May 2003<br>Remainder: 3 May 2003                                   | —   |
| 2003 No. 189           | 24 July 2003   | 1 Oct 2003   | —   |
| 2003 No. 232           | 3 Sept 2003  | 3 Sept 2003  | —   |
| 2003 No. 240           | 18 Sept 2003   | 18 Sept 2003   | —   |
| 2003 No. 297           | 27 Nov 2003  | 27 Nov 2003  | —   |
| 2003 No. 365           | 23 Dec 2003  | Rr. 1–4 and Schedule 1:<br>23 Dec 2003<br>Schedules 2 and 3:<br>1 Jan 2004<br>Remainder: 1 July 2004 | —   |
| 2004 No. 4             | 12 Feb 2004  | 20 Feb 2004 (see r. 2)   | —   |
| 2004 No. 134           | 18 June 2004   | 15 Nov 2004  | —   |
| 2004 No. 216           | 15 July 2004   | 15 July 2004   | —   |
| 2004 No. 222           | 22 July 2004   | 1 July 2004  | —   |

**Table of Instruments**

| <b>Year and number</b> | <b>Date of notification in Gazette or FRLI registration</b> | <b>Date of commencement</b>  | <b>Application, saving or transitional provisions</b> |
|------------------------|---|--|---|
| 2004 No. 230           | 28 July 2004  | 28 July 2004   | —   |
| 2004 No. 345           | 8 Dec 2004  | 8 Dec 2004   | —   |
| 2005 No. 207           | 19 Sept 2005 (see F2005L02673)                              | 1 Oct 2005 (see r. 2)  | —   |
| 2005 No. 242           | 24 Oct 2005 (see F2005L03219)                               | 25 Oct 2005  | —   |
| 2005 No. 258           | 15 Nov 2005 (see F2005L03421)                               | 16 Nov 2005  | —   |
| 2005 No. 321           | 19 Dec 2005 (see F2005L04039)                               | 20 Dec 2005  | —   |
| 2005 No. 323           | 19 Dec 2005 (see F2005L04033)                               | 20 Dec 2005  | —   |
| 2006 No. 124           | 2 June 2006 (see F2006L01624)                               | 3 June 2006  | —   |
| 2006 No. 185           | 17 July 2006 (see F2006L02115)                              | 18 July 2006   | —   |
| 2007 No. 41            | 26 Mar 2007 (see F2007L00794)                               | 25 May 2007  | —   |
| 2007 No. 172           | 26 June 2007 (see F2007L01842)                              | 1 July 2007 (see r. 2)   | —   |
| 2007 No. 226           | 24 July 2007 (see F2007L02284)                              | 25 July 2007   | —   |
| 2008 No. 192           | 22 Sept 2008 (see F2008L03483)                              | 23 Sept 2008   | —   |
| 2008 No. 274           | 18 Dec 2008 (see F2008L04644)                               | (b)  | —   |
| 2008 No. 275           | 18 Dec 2008 (see F2008L04587)                               | 19 Dec 2008  | —   |
| 2009 No. 64            | 15 Apr 2009 (see F2009L01295)                               | Rr. 1–3 and Schedule 1: 16 Apr 2009<br>Rr. 4, 5, Schedules 2 and 3: 1 Oct 2009 | —   |
| 2009 No. 147           | 26 June 2009 (see F2009L02511)                              | 1 July 2009  | —   |
| 2009 No. 232           | 9 Sept 2009 (see F2009L03481)                               | 10 Sept 2009   | —   |
| 2010 No. 120           | 7 June 2010 (see F2010L01546)                               | 8 June 2010  | —   |

**Table of Instruments**

| <b>Year and number</b> | <b>Date of notification in <i>Gazette</i> or FRLI registration</b> | <b>Date of commencement</b>   | <b>Application, saving or transitional provisions</b> |
|------------------------|--|---|---|
| 2010 No. 277           | 19 Nov 2010 (see F2010L03002)                                      | Rr. 1–3 and Schedule 1: 1 Dec 2010<br>Schedule 2: 1 Mar 2012<br>Schedule 3: (see r. 2 (c) and Note 3) | —   |
| 2010 No. 328           | 14 Dec 2010 (see F2010L03195)                                      | Rr. 1–3 and Schedule 1: 27 June 2011  | —   |
| 2011 No. 76            | 7 June 2011 (see F2011L00968)                                      | 27 June 2011  | —   |
| 2011 No. 77            | 8 June 2011 (see F2011L00971)                                      | 27 June 2011  | —   |
| 2011 No. 120           | 30 June 2011 (see F2011L01364)                                     | 1 July 2011   | —   |
| 2011 No. 164           | 2 Sept 2011 (see F2011L01804)                                      | 3 Sept 2011   | —   |
| 2011 No. 265           | 12 Dec 2011 (see F2011L02648)                                      | Rr. 1–3 and Schedule 1: 13 Dec 2011<br>Schedule 2: 1 Apr 2012   | —   |
| 2012 No. 107           | 14 June 2012 (see F2012L01199)                                     | 15 June 2012  | —   |

(a) Part 47 only in item [7] of Schedule 2 and items [1], [4] and [5] of Schedule 3 to Statutory Rules 2000 No. 204 were disallowed by the Senate on 8 November 2000.

(b) Regulation 2 of SLI 2008 No. 274 provides as follows:  
These Regulations commence immediately after the commencement of regulation 4.59A of the *Aviation Transport Security Regulations 2005*.  
Regulation 4.59A, added by SLI 2008 No. 271, commenced on 19 December 2008.

**Table of Amendments****Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>              | <b>How affected</b>  |
|--|--|
| Guide .....                            | ad. 2002 No. 350<br>am. 2004 No. 345; 2005 No. 323; 2007 No. 172<br>rep. 2011 No. 77 |
| <b>Part 1</b>                          |  |
| Table of Provisions to .....<br>Part 1 | ad. 2004 No. 345   |
| R. 1.0 .....                           | ad. 2000 No. 204<br>am. 2002 No. 350<br>2002 No. 350                                 |
| Renumbered r. 1.000 .....              | 2002 No. 350   |
| R. 1.000 .....                         | rep. 2004 No. 345  |
| R. 1.1 .....                           | rs. 2002 No. 350<br>2002 No. 350   |
| Renumbered r. 1.001 .....              | 2002 No. 350   |
| R. 1.2 .....                           | rep. 2002 No. 350  |
| R. 1.3                                 |  |
| Renumbered r. 1.003 .....              | 2002 No. 350   |
| R. 1.4 .....                           | rs. 2000 No. 204<br>2002 No. 350   |
| Renumbered r. 1.004 .....              | 2002 No. 350   |
| Note to r. 1.004 (2).....              | rs. 2004 No. 345   |
| R. 1.5 .....                           | rep. 2000 No. 204  |
| R. 1.005 .....                         | ad. 2004 No. 345   |
| R. 1.6                                 |  |
| Renumbered r. 1.006 .....              | 2002 No. 350   |
| R. 1.006 .....                         | rs. 2004 No. 345   |
| R. 1.7                                 |  |
| Renumbered r. 1.007 .....              | 2002 No. 350   |
| R. 1.008 .....                         | ad. 2004 No. 345   |
| <b>Part 11</b>                         |  |
| Part 11 .....                          | ad. 2000 No. 204<br>rs. 2004 No. 345   |
| <b>Subpart 11.A</b>                    |  |
| R. 11.005 .....                        | ad. 2004 No. 345<br>rs. 2011 No. 77  |
| R. 11.010 .....                        | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.015 .....                        | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.018 .....                        | ad. 2011 No. 77  |
| <b>Subpart 11.B</b>                    |  |
| Heading to Subpart 11.B.....           | rs. 2011 No. 77  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>      | <b>How affected</b>                  |
|--------------------------------|--------------------------------------|
| R. 11.020 .....                | ad. 2004 No. 345                     |
| R. 11.025 .....                | ad. 2004 No. 345<br>rs. 2011 No. 77  |
| R. 11.030 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.032 .....                | ad. 2011 No. 77                      |
| R. 11.035 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.040 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.045 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.047 .....                | ad. 2011 No. 77                      |
| R. 11.050 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| <b>Subpart 11.BA</b>           |                                      |
| Heading to Subpart 11.BA ..... | ad. 2011 No. 77                      |
| R. 11.055 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.056 .....                | ad. 2011 No. 77                      |
| R. 11.060 .....                | ad. 2004 No. 345<br>rs. 2011 No. 77  |
| R. 11.065 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.067 .....                | ad. 2011 No. 77                      |
| R. 11.068 .....                | ad. 2011 No. 77                      |
| R. 11.070 .....                | ad. 2004 No. 345<br>rs. 2011 No. 77  |
| R. 11.071 .....                | ad. 2011 No. 77                      |
| R. 11.072 .....                | ad. 2011 No. 77                      |
| R. 11.073 .....                | ad. 2011 No. 77                      |
| R. 11.074 .....                | ad. 2011 No. 77                      |
| R. 11.075 .....                | ad. 2011 No. 77                      |
| R. 11.077 .....                | ad. 2011 No. 77                      |
| R. 11.080 .....                | ad. 2004 No. 345<br>rep. 2011 No. 77 |
| <b>Subpart 11.C</b>            |                                      |
| R. 11.090 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.095 .....                | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.100 .....                | ad. 2004 No. 345                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>                 |
|-------------------------------|-------------------------------------|
| R. 11.105 .....               | ad. 2004 No. 345                    |
| R. 11.110 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| R. 11.115 .....               | ad. 2004 No. 345                    |
| <b>Subpart 11.D</b>           |                                     |
| R. 11.120 .....               | ad. 2004 No. 345<br>rs. 2011 No. 77 |
| Heading to r. 11.125 .....    | rs. 2011 No. 77                     |
| R. 11.125 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| R. 11.130 .....               | ad. 2004 No. 345                    |
| Note to r. 11.130 .....       | rep. 2011 No. 77                    |
| R. 11.132 .....               | ad. 2011 No. 77                     |
| <b>Subpart 11.E</b>           |                                     |
| R. 11.135 .....               | ad. 2004 No. 345<br>rs. 2011 No. 77 |
| R. 11.140 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| Heading to r. 11.145 .....    | rs. 2011 No. 77                     |
| R. 11.145 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| R. 11.150 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| <b>Subpart 11.F</b>           |                                     |
| Heading to Subpart 11.F ..... | rs. 2011 No. 77                     |
| <b>Division 11.F.1</b>        |                                     |
| R. 11.155 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| R. 11.160 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |
| Note 1 to r. 11.160 (3) ..... | ad. 2011 No. 77                     |
| Note 2 to r. 11.160 (3) ..... | ad. 2011 No. 77                     |
| Note 3 to r. 11.160 (3) ..... | ad. 2011 No. 77                     |
| R. 11.165 .....               | ad. 2004 No. 345<br>am. 2011 no. 77 |
| R. 11.170 .....               | ad. 2004 No. 345                    |
| R. 11.175 .....               | ad. 2004 No. 345                    |
| <b>Division 11.F.2</b>        |                                     |
| R. 11.180 .....               | ad. 2004 No. 345<br>rs. 2011 No. 77 |
| R. 11.185 .....               | ad. 2004 No. 345<br>am. 2011 No. 77 |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>    | <b>How affected</b>                  |
|------------------------------|--------------------------------------|
| R. 11.190 .....              | ad. 2004 No. 345                     |
| R. 11.195 .....              | ad. 2004 No. 345                     |
| <b>Division 11.F.3</b>       |                                      |
| R. 11.200 .....              | ad. 2004 No. 345<br>rs. 2011 No. 77  |
| R. 11.205 .....              | ad. 2004 No. 345                     |
| R. 11.210 .....              | ad. 2004 No. 345                     |
| R. 11.215 .....              | ad. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 11.220 .....              | ad. 2004 No. 345                     |
| Note to r. 11.220 (1).....   | rs. 2005 No. 323<br>rep. 2011 No. 77 |
| R. 11.225 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| Note 1 to r. 11.225 .....    | rep. 2011 No. 77                     |
| Note 2 to r. 11.225 .....    | rs. 2005 No. 323<br>rep. 2011 No. 77 |
| Note to r. 11.255 .....      | ad. 2011 No. 77                      |
| R. 11.230 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| Note to r. 11.230 .....      | rs. 2005 No. 323<br>rep. 2011 No. 77 |
| R. 11.235 .....              | ad. 2004 No. 345                     |
| <b>Subpart 11.G</b>          |                                      |
| Heading to r. 11.240 .....   | rs. 2011 No. 77                      |
| R. 11.240 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| R. 11.245 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| Note 1 to r. 11.245 (1)..... | rs. 2005 No. 323; 2011 No. 77        |
| Note 2 to r. 11.245 (1)..... | rs. 2011 No. 77                      |
| Note 3 to r. 11.245 (1)..... | rep. 2011 No. 77                     |
| R. 11.250 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| Note to r. 11.250 .....      | rs. 2005 No. 323<br>rep. 2011 No. 77 |
| R. 11.255 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| <b>Subpart 11.H</b>          |                                      |
| R. 11.260 .....              | ad. 2004 No. 345<br>am. 2011 No. 77  |
| Note to r. 11.260 (4).....   | ad. 2011 No. 77                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>               | <b>How affected</b>                                     |
|---|---|
| <b>Subpart 11.J</b>                     |   |
| R. 11.265 .....                         | ad. 2004 No. 345<br>am. 2005 No. 323<br>rs. 2011 No. 77 |
| Note to r. 11.265 (2).....              | ad. 2005 No. 323<br>rep. 2011 No. 77                    |
| Notes 1 and 2 to r. 11.265 (3)          | rep. 2005 No. 323                                       |
| R. 11.267 .....                         | ad. 2011 No. 77   |
| R. 11.270 .....                         | ad. 2004 No. 345  |
| R. 11.275 .....                         | ad. 2004 No. 345<br>am. 2011 No. 77                     |
| R. 11.280 .....                         | ad. 2004 No. 345<br>am. 2011 No. 77                     |
| R. 11.285 .....                         | ad. 2004 No. 345  |
| R. 11.290 .....                         | ad. 2004 No. 345  |
| R. 11.295 .....                         | ad. 2004 No. 345  |
| <b>Part 13</b>                          |   |
| Part 13 .....                           | ad. 2000 No. 204<br>rs. 2004 No. 4                      |
| <b>Subpart 13.K</b>                     |   |
| <b>Division 13.K.1</b>                  |   |
| R. 13.320 .....                         | ad. 2004 No. 4  |
| R. 13.325 .....                         | ad. 2004 No. 4  |
| R. 13.330 .....                         | ad. 2004 No. 4  |
| R. 13.335 .....                         | ad. 2004 No. 4  |
| R. 13.340 .....                         | ad. 2004 No. 4  |
| R. 13.345 .....                         | ad. 2004 No. 4<br>am. 2008 No. 192                      |
| R. 13.350 .....                         | ad. 2004 No. 4  |
| R. 13.355 .....                         | ad. 2004 No. 4  |
| R. 13.360 .....                         | ad. 2004 No. 4  |
| R. 13.365 .....                         | ad. 2004 No. 4  |
| <b>Division 13.K.2</b>                  |   |
| R. 13.370 .....                         | ad. 2004 No. 4  |
| R. 13.375 .....                         | ad. 2004 No. 4<br>am. 2004 No. 345; 2010 No. 328        |
| R. 13.380 .....                         | ad. 2004 No. 4  |
| <b>Part 21</b>                          |   |
| Table of Provisions to .....<br>Part 21 | ad. 2004 No. 345  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>   |
|---------------------------------|---|
| <b>Subpart 21.A</b>             |   |
| Heading to Subpart A of Part 21 |   |
| Renumbered.....                 | 2002 No. 350  |
| Subpart 21.A                    |   |
| R. 21.0 .....                   | ad. 2000 No. 204<br>am. 2000 No. 204; 2001 No. 242; 2002 Nos. 320 and 350 |
| Renumbered r. 21.000 .....      | 2002 No. 350  |
| R. 21.000 .....                 | rep. 2004 No. 345   |
| R. 21.1                         |   |
| Renumbered r. 21.001 .....      | 2002 No. 350  |
| R. 21.001 .....                 | am. 2011 No. 76   |
| R. 21.1A                        |   |
| Renumbered r. 21.001A .....     | 2002 No. 350  |
| R. 21.1B.....                   | rep. 2002 No. 320   |
| R. 21.2 .....                   | rep. 2002 No. 268   |
| R. 21.2A                        |   |
| Renumbered r. 21.002A .....     | 2002 No. 350  |
| R. 21.002A.....                 | rep. 2011 No. 77  |
| R. 21.2B.....                   | am. 1999 No. 166  |
| Renumbered r. 21.002B .....     | 2002 No. 350  |
| R. 21.002B.....                 | rep. 2011 No. 77  |
| Note to r. 21.002B.....         | am. 2002 No. 350<br>rep. 2002 No. 77                                      |
| R. 21.2C                        |   |
| Renumbered r. 21.002C.....      | 2002 No. 350  |
| R. 21.002C.....                 | am. 2002 No. 350  |
| R. 21.2D                        |   |
| Renumbered r. 21.002D .....     | 2002 No. 350  |
| R. 21.002D.....                 | am. 2002 No. 350  |
| R. 21.2E                        |   |
| Renumbered r. 21.002E .....     | 2002 No. 350  |
| Heading to r. 21.002E .....     | rs. 2004 No. 345  |
| R. 21.002E.....                 | am. 2004 No. 345  |
| R. 21.3 .....                   | am. 1999 No. 166; 2002 Nos. 268 and 350                                   |
| Renumbered r. 21.003 .....      | 2002 No. 350  |
| R. 21.003 .....                 | am. 2002 No. 350; 2011 No. 76   |
| R. 21.5 .....                   | am. 2002 No. 268  |
| Renumbered r. 21.005 .....      | 2002 No. 350  |
| Heading to r. 21.005 .....      | rs. 2011 No. 76   |
| R. 21.005 .....                 | am. 2011 No. 76   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>            |
|---------------------------------|--------------------------------|
| R. 21.006 .....                 | ad. 2011 No. 76                |
| R. 21.006A.....                 | ad. 2011 No. 76                |
| R. 21.007 .....                 | ad. 2011 No. 76                |
| R. 21.007A.....                 | ad. 2011 No. 76                |
| R. 21.008 .....                 | ad. 2011 No. 76                |
| R. 21.009 .....                 | ad. 2011 No. 76                |
| R. 21.010 .....                 | ad. 2011 No. 76                |
| <b>Subpart 21.B</b>             |                                |
| Heading to Subpart B of Part 21 |                                |
| Renumbered.....                 | 2002 No. 350                   |
| Subpart 21.B                    |                                |
| R. 21.11                        |                                |
| Renumbered r. 21.011 .....      | 2002 No. 350                   |
| R. 21.12 .....                  | am. 1999 No. 166               |
| Renumbered r. 21.012 .....      | 2002 No. 350                   |
| R. 21.13                        |                                |
| Renumbered r. 21.013 .....      | 2002 No. 350                   |
| R. 21.13A                       |                                |
| Renumbered r. 21.013A .....     | 2002 No. 350                   |
| R. 21.013A.....                 | am. 2002 No. 350; 2011 No. 77  |
| R. 21.14                        |                                |
| Renumbered r. 21.014 .....      | 2002 No. 350                   |
| R. 21.014 .....                 | am. 2002 No. 350               |
| R. 21.15                        |                                |
| Renumbered r. 21.015 .....      | 2002 No. 350                   |
| R. 21.015 .....                 | am. 2011 No. 77                |
| R. 21.16 .....                  | am. 2002 No. 268               |
| Renumbered r. 21.016 .....      | 2002 No. 350                   |
| R. 21.17                        |                                |
| Renumbered r. 21.017 .....      | 2002 No. 350                   |
| R. 21.017 .....                 | am. 2002 No. 350               |
| R. 21.19 .....                  | am. 1999 No. 166               |
| Renumbered r. 21.019 .....      | 2002 No. 350                   |
| R. 21.019 .....                 | am. 2002 No. 350               |
| R. 21.21                        |                                |
| Renumbered r. 21.021 .....      | 2002 No. 350                   |
| R. 21.021 .....                 | am. 2002 No. 350               |
| R. 21.24 .....                  | am. 1999 No. 166               |
| Renumbered r. 21.024 .....      | 2002 No. 350                   |
| R. 21.024 .....                 | am. 2002 No. 350; 2010 No. 328 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                  |
|-----------------------------|--------------------------------------|
| R. 21.25 .....              | am. 1999 No. 166                     |
| Renumbered r. 21.025 .....  | 2002 No. 350                         |
| R. 21.26 .....              | am. 1999 No. 166                     |
| Renumbered r. 21.026 .....  | 2002 No. 350                         |
| R. 21.026 .....             | am. 2002 No. 350; 2010 No. 328       |
| R. 21.27 .....              | am. 2002 No. 350                     |
| Renumbered r. 21.027 .....  | 2002 No. 350                         |
| Heading to r. 21.29 .....   | rs. 2002 No. 320                     |
| R. 21.29 .....              | am. 2002 No. 320                     |
| Renumbered r. 21.029 .....  | 2002 No. 350                         |
| R. 21.029 .....             | am. 2002 No. 350; 2011 No. 77        |
| R. 21.29A.....              | am. 1999 No. 166                     |
| Renumbered r. 21.029A ..... | 2002 No. 350                         |
| R. 21.029A.....             | am. 2002 No. 350; 2011 No. 77        |
| R. 21.29B.....              | am. 2002 No. 268                     |
| Renumbered r. 21.029B ..... | 2002 No. 350                         |
| R. 21.029B.....             | am. 2002 No. 350                     |
| Note to r. 21.029B.....     | am. 2002 No. 350<br>rs. 2005 No. 323 |
| R. 21.29C                   |                                      |
| Renumbered r. 21.029C.....  | 2002 No. 350                         |
| R. 21.029C.....             | am. 2002 No. 350                     |
| Note to r. 21.029C .....    | am. 2002 No. 350<br>rs. 2005 No. 323 |
| R. 21.31 .....              | am. 2002 No. 320                     |
| Renumbered r. 21.031 .....  | 2002 No. 350                         |
| R. 21.031 .....             | am. 2002 No. 350; 2010 No. 328       |
| R. 21.33 .....              | am. 1999 No. 166                     |
| Renumbered r. 21.033 .....  | 2002 No. 350                         |
| R. 21.033 .....             | am. 2002 No. 350                     |
| R. 21.35                    |                                      |
| Renumbered r. 21.035 .....  | 2002 No. 350                         |
| R. 21.035 .....             | am. 2002 No. 350                     |
| R. 21.37                    |                                      |
| Renumbered r. 21.037 .....  | 2002 No. 350                         |
| R. 21.037 .....             | am. 2002 No. 350                     |
| R. 21.39                    |                                      |
| Renumbered r. 21.039 .....  | 2002 No. 350                         |
| R. 21.039 .....             | am. 2002 No. 350                     |
| R. 21.41 .....              | am. 1999 No. 166                     |
| Renumbered r. 21.041 .....  | 2002 No. 350                         |
| R. 21.041 .....             | am. 2002 No. 350                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>          | <b>How affected</b>                  |
|------------------------------------|--------------------------------------|
| R. 21.43                           |                                      |
| Renumbered r. 21.043 .....         | 2002 No. 350                         |
| R. 21.043 .....                    | am. 2002 No. 350                     |
| R. 21.47 .....                     | am. 2002 No. 268                     |
| Renumbered r. 21.047 .....         | 2002 No. 350                         |
| R. 21.49 .....                     | am. 2002 No. 268                     |
| Renumbered r. 21.049 .....         | 2002 No. 350                         |
| R. 21.50 .....                     | am. 2002 No. 268                     |
| Renumbered r. 21.050 .....         | 2002 No. 350                         |
| R. 21.050 .....                    | am. 2002 No. 350                     |
| R. 21.51                           |                                      |
| Renumbered r. 21.051 .....         | 2002 No. 350                         |
| R. 21.051 .....                    | am. 2002 No. 350                     |
| Note 1 to r. 21.051 .....          | am. 2002 No. 350<br>rs. 2005 No. 323 |
| R. 21.53                           |                                      |
| Renumbered r. 21.053 .....         | 2002 No. 350                         |
| R. 21.053 .....                    | am. 2002 No. 350                     |
| <b>Subpart 21.C</b>                |                                      |
| Heading to Subpart C of<br>Part 21 |                                      |
| Renumbered.....                    | 2002 No. 350                         |
| Subpart 21.C                       |                                      |
| R. 21.71                           |                                      |
| Renumbered r. 21.071 .....         | 2002 No. 350                         |
| R. 21.73                           |                                      |
| Renumbered r. 21.073 .....         | 2002 No. 350                         |
| R. 21.75                           |                                      |
| Renumbered r. 21.075 .....         | 2002 No. 350                         |
| R. 21.76                           |                                      |
| Renumbered r. 21.076 .....         | 2002 No. 350                         |
| R. 21.076 .....                    | am. 2002 No. 350; 2011 No. 77        |
| R. 21.77                           |                                      |
| Renumbered r. 21.077 .....         | 2002 No. 350                         |
| R. 21.78                           |                                      |
| Renumbered r. 21.078 .....         | 2002 No. 350                         |
| R. 21.078 .....                    | am. 2002 No. 350                     |
| Note to r. 21.078 .....            | am. 2002 No. 350                     |
| R. 21.79                           |                                      |
| Renumbered r. 21.079 .....         | 2002 No. 350                         |
| R. 21.81 .....                     | am. 1999 No. 166; 2002 No. 350       |
| Renumbered r. 21.081 .....         | 2002 No. 350                         |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>            |
|---------------------------------|--------------------------------|
| R. 21.83 .....                  | am. 1999 No. 166; 2002 No. 350 |
| Renumbered r. 21.083 .....      | 2002 No. 350                   |
| R. 21.85 .....                  | am. 1999 No. 166; 2002 No. 350 |
| Renumbered r. 21.085 .....      | 2002 No. 350                   |
| <b>Subpart 21.D</b>             |                                |
| Heading to Subpart D of Part 21 |                                |
| Renumbered.....                 | 2002 No. 350                   |
| Subpart 21.D                    |                                |
| R. 21.91                        |                                |
| Renumbered r. 21.091 .....      | 2002 No. 350                   |
| R. 21.93                        |                                |
| Renumbered r. 21.093 .....      | 2002 No. 350                   |
| R. 21.95                        |                                |
| Renumbered r. 21.095 .....      | 2002 No. 350                   |
| R. 21.97                        |                                |
| Renumbered r. 21.097 .....      | 2002 No. 350                   |
| R. 21.98                        |                                |
| Renumbered r. 21.098 .....      | 2002 No. 350                   |
| R. 21.098 .....                 | am. 2002 No. 350; 2011 No. 77  |
| R. 21.99 .....                  | am. 2002 No. 268               |
| Renumbered r. 21.099 .....      | 2002 No. 350                   |
| R. 21.101 .....                 | am. 1999 No. 166; 2002 No. 350 |
| <b>Subpart 21.E</b>             |                                |
| Heading to Subpart E of Part 21 |                                |
| Renumbered.....                 | 2002 No. 350                   |
| Subpart 21.E                    |                                |
| R. 21.113 .....                 | am. 2002 No. 350; 2011 No. 77  |
| R. 21.113A.....                 | am. 2011 No. 77                |
| R. 21.115 .....                 | am. 2002 No. 350               |
| R. 21.117 .....                 | am. 1999 No. 166               |
| Note to r. 21.118 .....         | am. 2002 No. 350               |
| Note to r. 21.119 .....         | am. 2002 No. 350               |
| <b>Subpart 21.F</b>             |                                |
| Heading to Subpart F of Part 21 |                                |
| Renumbered.....                 | 2002 No. 350                   |
| Subpart 21.F                    |                                |
| Note to r. 21.121 (2).....      | am. 2002 No. 350               |
| R. 21.123 .....                 | am. 2002 No. 268               |
| R. 21.125 .....                 | am. 2002 No. 268               |
| R. 21.127 .....                 | am. 2002 No. 268               |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                             | <b>How affected</b>   |
|---|---|
| R. 21.128 .....                                       | am. 2002 No. 268  |
| R. 21.129 .....                                       | am. 2004 No. 268  |
| R. 21.130 .....                                       | am. 2000 No. 227  |
| R. 21.130A.....                                       | am. 2002 No. 268  |
| <b>Subpart 21.G</b>                                   |   |
| Heading to Subpart G of<br>Part 21<br>Renumbered..... |   |
| Subpart 21.G  | 2002 No. 350  |
| R. 21.131 .....                                       | am. 2000 No. 227  |
| Heading to r. 21.132 .....                            | am. 2002 No. 350  |
| R. 21.132 .....                                       | ad. 2000 No. 227  |
| R. 21.132A.....                                       | ad. 2000 No. 227<br>am. 2001 No. 242                            |
| R. 21.133 .....                                       | rs. 2000 No. 227<br>am. 2001 No. 242; 2003 No. 297; 2011 No. 77 |
| R. 21.134 .....                                       | am. 2002 No. 268; 2011 No. 77                                   |
| R. 21.135 .....                                       | am. 2000 No. 227  |
| R. 21.139 .....                                       | rs. 2000 No. 227  |
| R. 21.143 .....                                       | am. 2000 No. 227; 2002 No. 268; 2003 No. 297                    |
| R. 21.144 .....                                       | am. 2000 No. 227  |
| R. 21.145 .....                                       | am. 2002 No. 268; 2003 No. 297                                  |
| R. 21.147 .....                                       | am. 2000 No. 227; 2002 No. 268                                  |
| R. 21.149 .....                                       | rs. 2000 No. 227  |
| R. 21.151 .....                                       | rs. 2000 No. 227<br>am. 2003 No. 297                            |
| R. 21.153 .....                                       | am. 2000 No. 227; 2011 No. 77                                   |
| R. 21.157 .....                                       | rs. 2002 No. 268  |
| Note to r. 21.159 .....                               | am. 2002 No. 350  |
| R. 21.161 .....                                       | am. 2002 No. 268  |
| R. 21.163 .....                                       | am. 2002 No. 350; 2010 No. 328                                  |
| R. 21.165 .....                                       | rs. 2000 No. 227<br>am. 2002 No. 268                            |
| R. 21.166 .....                                       | rs. 2000 No. 227<br>am. 2002 No. 268                            |
| <b>Subpart 21.H</b>                                   |   |
| Heading to Subpart H of .....                         |   |
| Part 21   | rs. 1999 No. 166  |
| Renumbered.....                                       | 2002 No. 350  |
| Subpart 21.H  |   |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>   |
|----------------------------|---|
| R. 21.171 .....            | am. 1999 No. 166  |
| Note to r. 21.171 .....    | rs. 2005 No. 323  |
| R. 21.172 .....            | ad. 2005 No. 321  |
| R. 21.173 .....            | am. 1999 No. 166; 2000 No. 204; 2004 No. 134; 2005 No. 321; 2011 No. 77 |
| Note to r. 21.173 (1)..... | ad. 2005 No. 321  |
| R. 21.175 .....            | am. 2005 No. 321  |
| Heading to r. 21.176 ..... | rs. 1999 No. 166  |
| R. 21.176 .....            | am. 1999 No. 166; 2002 Nos. 268 and 350; 2011 No. 77                    |
| Heading to r. 21.181 ..... | rs. 1999 No. 166  |
| R. 21.181 .....            | am. 2002 Nos. 268 and 350; 2005 No. 321; 2010 No. 328                   |
| Note to r. 21.181 .....    | am. 2002 No. 350  |
| R. 21.182 .....            | ad. 2000 No. 204<br>am. 2005 No. 321                                    |
| R. 21.183 .....            | am. 1999 No. 166; 2002 Nos. 320 and 350; 2010 No. 328; 2011 No. 76      |
| R. 21.184 .....            | am. 1999 No. 166; 2002 No. 350; 2010 No. 328; 2011 No. 76               |
| R. 21.184A.....            | am. 1999 No. 166; 2002 No. 350; 2011 No. 76                             |
| R. 21.185 .....            | am. 1999 No. 166; 2002 No. 350; 2011 No. 76                             |
| R. 21.186 .....            | ad. 2005 No. 321  |
| R. 21.187 .....            | am. 2002 Nos. 268 and 350   |
| R. 21.190 .....            | am. 1999 No. 166; 2000 No. 227; 2004 No. 345; 2011 No. 76               |
| R. 21.191 .....            | am. 2002 No. 350; 2005 No. 321  |
| R. 21.192 .....            | am. 2000 No. 204; 2004 No. 134; 2005 No. 321                            |
| Note to r. 21.192 .....    | ad. 2005 No. 321  |
| R. 21.193 .....            | am. 2005 No. 321  |
| R. 21.195A.....            | am. 1999 No. 166; 2002 No. 268; 2011 No. 77                             |
| R. 21.195B.....            | am. 2002 Nos. 268 and 350; 2005 No. 321                                 |
| Note to r. 21.195B.....    | am. 2002 No. 350  |
| R. 21.197 .....            | am. 1999 No. 166; 2002 Nos. 320 and 350; 2010 No. 328                   |
| R. 21.199 .....            | am. 2011 No. 77   |
| R. 21.200 .....            | am. 2002 Nos. 268 and 350; 2004 No. 230; 2009 No. 64; 2011 No. 77       |
| Heading to r. 21.201 ..... | rs. 2011 No. 77   |
| R. 21.201 .....            | am. 2002 No. 268; 2011 No. 77   |
| Note to r. 21.201 (5)..... | am. 2002 No. 350  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>  |
|---------------------------------|--|
| <b>Subpart 21.I</b>             |  |
| Heading to Subpart I of Part 21 |  |
| Renumbered.....                 | 2002 No. 350   |
| Subpart 21.I                    |  |
| R. 21.216 .....                 | am. 2011 No. 77  |
| Note to r. 21.217 .....         | am. 2002 No. 350   |
| R. 21.221 .....                 | am. 1999 No. 166; 2002 No. 350   |
| R. 21.223 .....                 | am. 1999 No. 166; 2002 No. 350   |
| R. 21.225 .....                 | am. 1999 No. 166; 2002 No. 350   |
| <b>Subpart 21.J</b>             |  |
| Heading to Subpart J of Part 21 |  |
| Renumbered.....                 | 2002 No. 350   |
| Subpart 21.J                    |  |
| R. 21.231 .....                 | am. 2000 No. 227   |
| R. 21.235 .....                 | am. 2011 No. 77  |
| R. 21.239 .....                 | am. 2011 No. 77  |
| Note to r. 21.243 .....         | am. 2002 No. 350   |
| R. 21.245 .....                 | am. 2002 No. 268   |
| R. 21.251 .....                 | am. 2000 No. 227   |
| R. 21.261 .....                 | am. 2002 No. 268   |
| R. 21.267 .....                 | am. 2002 No. 350   |
| Heading to r. 21.271 .....      | am. 2000 No. 227<br>rs. 2004 No. 345   |
| R. 21.271 .....                 | am. 2000 No. 227; 2002 No. 268   |
| R. 21.277 .....                 | am. 2002 No. 268; 2002 No. 350   |
| R. 21.293 .....                 | am. 2002 No. 268   |
| <b>Subpart 21.K</b>             |  |
| Heading to Subpart K of Part 21 |  |
| Renumbered.....                 | 2002 No. 350   |
| Subpart 21.K                    |  |
| R. 21.303 .....                 | am. 2000 No. 227; 2002 Nos. 268 and 350; 2003 No. 297; 2010 No. 328; 2011 Nos. 76 and 77 |
| Note to r. 21.303 .....         | am. 2002 No. 350   |
| R. 21.304 .....                 | ad. 2003 No. 297<br>rep. 2011 No. 77   |
| R. 21.304A.....                 | ad. 2003 No. 297   |
| R. 21.305 .....                 | am. 2002 No. 350; 2010 No. 328   |
| R. 21.306 .....                 | rs. 2010 No. 328   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>                          |
|---------------------------------|--|
| <b>Subpart 21.L</b>             |  |
| Heading to Subpart L of Part 21 |  |
| Renumbered.....                 | 2002 No. 350                                 |
| Subpart 21.L                    |  |
| R. 21.324 .....                 | am. 2011 No. 77                              |
| R. 21.325 .....                 | am. 2000 No. 227; 2002 Nos. 268 and 350      |
| R. 21.327 .....                 | am. 1999 No. 166; 2011 No. 77                |
| R. 21.329 .....                 | am. 1999 No. 166; 2002 No. 350; 2010 No. 328 |
| Note to r. 21.329 (7).....      | rs. 2010 No. 328                             |
| R. 21.331 .....                 | am. 1999 No. 166                             |
| R. 21.333 .....                 | am. 1999 No. 166                             |
| R. 21. 337 .....                | rep. 2010 No. 328                            |
| <b>Subpart 21.M</b>             |  |
| Subpart 21.M .....              | ad. 2011 No. 76                              |
| <b>Division 21.M.1</b>          |  |
| R. 21.400 .....                 | ad. 2011 No. 76                              |
| R. 21.402 .....                 | ad. 2011 No. 76                              |
| <b>Division 21.M.2</b>          |  |
| R. 21.405 .....                 | ad. 2011 No. 76                              |
| R. 21.410 .....                 | ad. 2011 No. 76                              |
| R. 21.414 .....                 | ad. 2011 No. 76                              |
| R. 21.416 .....                 | ad. 2011 No. 76                              |
| R. 21.420 .....                 | ad. 2011 No. 76                              |
| R. 21.425 .....                 | ad. 2011 No. 76                              |
| R. 21.430 .....                 | ad. 2011 No. 76                              |
| R. 21.435 .....                 | ad. 2011 No. 76                              |
| R. 21.437 .....                 | ad. 2011 No. 76                              |
| R. 21.440 .....                 | ad. 2011 No. 76                              |
| R. 21.445 .....                 | ad. 2011 No. 76                              |
| <b>Division 21.M.3</b>          |  |
| R. 21.448 .....                 | ad. 2011 No. 76                              |
| R. 21.450 .....                 | ad. 2011 No. 76                              |
| R. 21.455 .....                 | ad. 2011 No. 76                              |
| R. 21.460 .....                 | ad. 2011 No. 76                              |
| <b>Division 21.M.4</b>          |  |
| R. 21.465 .....                 | ad. 2011 No. 76                              |
| R. 21.470 .....                 | ad. 2011 No. 76                              |
| R. 21.475 .....                 | ad. 2011 No. 76                              |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>         | <b>How affected</b>                                      |
|-----------------------------------|--|
| <b>Subpart 21.N</b>               |  |
| Heading to Subpart N of Part 21   |  |
| Renumbered.....                   | 2002 No. 350   |
| Subpart 21.N                      |  |
| R. 21.500 .....                   | am. 1999 No. 166; 2002 No. 350                           |
| R. 21.500A.....                   | am. 2011 No. 77  |
| R. 21.502 .....                   | am. 1999 No. 166; 2002 No. 350                           |
| R. 21.502A.....                   | am. 1999 No. 166; 2011 No. 77                            |
| <b>Subpart 21.O</b>               |  |
| Heading to Subpart O of Part 21   |  |
| Renumbered.....                   | 2002 No. 350   |
| Subpart 21.O                      |  |
| R. 21.601 .....                   | am. 2001 No. 34  |
| R. 21.603 .....                   | am. 2001 No. 34<br>rs. 2002 No. 268                      |
| R. 21.605 .....                   | am. 1999 No. 166; 2001 No. 34; 2003 No. 297; 2011 No. 77 |
| R. 21.607 .....                   | am. 2001 No. 34; 2002 No. 268                            |
| R. 21.609 .....                   | am. 1999 No. 166; 2001 No. 34; 2011 No. 77               |
| R. 21.611 .....                   | am. 2001 No. 34; 2002 Nos. 268 and 350; 2011 No. 76      |
| R. 21.613 .....                   | am. 2002 No. 268; 2003 No. 297                           |
| R. 21.617 .....                   | am. 1999 No. 166   |
| R. 21.619 .....                   | am. 2001 No. 34  |
| Note to r. 21.619 .....           | am. 2002 No. 350   |
| <b>Subpart 21.Q</b>               |  |
| Subpart Q of Part 21 .....        | ad. 2000 No. 204   |
| Heading to Subpart Q of Part 21   |  |
| Renumbered.....                   | 2002 No. 350   |
| Subpart 21.Q                      |  |
| <b>Division 21.Q.1</b>            |  |
| Heading to Div. 1 of Subpart 21.Q |  |
| Renumbered Div. 21.Q.1.....       | 2002 No. 350   |
| R. 21.805 .....                   | ad. 2000 No. 204   |
| R. 21.810 .....                   | ad. 2000 No. 204   |
| <b>Division 21.Q.2</b>            |  |
| Heading to Div. 2 of Subpart 21.Q |  |
| Renumbered Div. 21.Q.2.....       | 2002 No. 350   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>  |
|---|--|
| R. 21.815 .....   | ad. 2000 No. 204   |
| R. 21.820 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268; 2005 No. 321 |
| Note to r. 21.820 (4).....  | am. 2001 No. 242; 2011 No. 77                                    |
| R. 21.825 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| Note to r. 21.825 .....   | am. 2001 No. 242   |
| Heading to r. 21.830 .....  | rs. 2001 No. 242   |
| R. 21.830 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| Note to r. 21.830 .....   | am. 2001 No. 242   |
| R. 21.835 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| R. 21.840 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| <b>Division 21.Q.3</b>  |  |
| Heading to Div. 3 of<br>Subpart 21.Q<br>Renumbered Div. 21.Q.3..... | 2002 No. 350   |
| R. 21.845 .....   | ad. 2000 No. 204<br>am. 2004 No. 345                             |
| R. 21.850 .....   | ad. 2000 No. 204<br>am. 2002 No. 268                             |
| R. 21.855 .....   | ad. 2000 No. 204<br>am. 2002 No. 268                             |
| <b>Division 21.Q.4</b>  |  |
| Heading to Div. 4 of<br>Subpart 21.Q<br>Renumbered Div. 21.Q.4..... | 2002 No. 350<br>rs. 2003 No. 297                                 |
| R. 21.860 .....   | ad. 2000 No. 204<br>rs. 2003 No. 297<br>am. 2004 No. 345         |
| Heading to r. 21.865 .....  | rs. 2003 No. 297   |
| R. 21.865 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| Heading to r. 21.870 .....  | rs. 2001 No. 242; 2003 No. 297                                   |
| R. 21.870 .....   | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 268               |
| Note to r. 21.870 (3).....  | rep. 2001 No. 242  |
| R. 21.875 .....   | ad. 2003 No. 297<br>am. 2004 No. 345                             |
| R. 21.880 .....   | ad. 2003 No. 297   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>    | <b>How affected</b> |
|------------------------------|---------------------|
| <b>Part 22</b>               |                     |
| Part 22 .....                | rs. 2009 No. 147    |
| Table of Provisions to ..... | ad. 2004 No. 345    |
| Part 22                      | rs. 2009 No. 147    |
| R. 22.0 .....                | ad. 2000 No. 204    |
| Renumbered r. 22.000 .....   | 2002 No. 350        |
| R. 22.000 .....              | rep. 2004 No. 345   |
| R. 22.1                      |                     |
| Renumbered r. 22.001 .....   | 2002 No. 350        |
| R. 22.001 .....              | am. 2004 No. 345    |
|                              | rs. 2009 No. 147    |
| R. 22.2                      |                     |
| Renumbered r. 22.002 .....   | 2002 No. 350        |
| R. 22.002 .....              | am. 2002 No. 350    |
|                              | rs. 2009 No. 147    |
| R. 22.3                      |                     |
| Renumbered r. 22.003 .....   | 2002 No. 350        |
| R. 22.003 .....              | rs. 2009 No. 147    |
| R. 22.4                      |                     |
| Renumbered r. 22.004 .....   | 2002 No. 350        |
| R. 22.004 .....              | rs. 2009 No. 147    |
| R. 22.5                      |                     |
| Renumbered r. 22.005 .....   | 2002 No. 350        |
| R. 22.005 .....              | am. 2002 No. 350    |
|                              | rep. 2009 No. 147   |
| R. 22.6                      |                     |
| Renumbered r. 22.006 .....   | 2002 No. 350        |
| R. 22.006 .....              | rep. 2009 No. 147   |
| R. 22.7                      |                     |
| Renumbered r. 22.007 .....   | 2002 No. 350        |
| R. 22.007 .....              | rep. 2009 No. 147   |
| R. 22.8                      |                     |
| Renumbered r. 22.008 .....   | 2002 No. 350        |
| R. 22.008 .....              | am. 2002 No. 350    |
|                              | rep. 2009 No. 147   |
| R. 22.9                      |                     |
| Renumbered r. 22.009 .....   | 2002 No. 350        |
| R. 22.009 .....              | rep. 2009 No. 147   |
| <b>Part 23</b>               |                     |
| Table of Provisions to ..... | ad. 2004 No. 345    |
| Part 23                      |                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>                  |
|-------------------------------|--------------------------------------|
| R. 23.0 .....                 | ad. 2000 No. 204                     |
| Renumbered r. 23.000 .....    | 2002 No. 350                         |
| R. 23.000 .....               | rep. 2004 No. 345                    |
| R. 23.1                       |                                      |
| Renumbered r. 23.001 .....    | 2002 No. 350                         |
| R. 23.001 .....               | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 23.2                       |                                      |
| Renumbered r. 23.002 .....    | 2002 No. 350                         |
| R. 23.002 .....               | am. 2002 No. 350<br>rs. 2009 No. 147 |
| R. 23.3                       |                                      |
| Renumbered r. 23.003 .....    | 2002 No. 350                         |
| R. 23.4                       |                                      |
| Renumbered r. 23.004 .....    | 2002 No. 350                         |
| R. 23.004 .....               | rs. 2009 No. 147                     |
| R. 23.5                       |                                      |
| Renumbered r. 23.005 .....    | 2002 No. 350                         |
| R. 23.005 .....               | rs. 2009 No. 147                     |
| R. 23.6                       |                                      |
| Renumbered r. 23.006 .....    | 2002 No. 350                         |
| R. 23.7                       |                                      |
| Renumbered r. 23.007 .....    | 2002 No. 350                         |
| R. 23.007 .....               | rs. 2009 No. 147                     |
| R. 23.8                       |                                      |
| Renumbered r. 23.008 .....    | 2002 No. 350                         |
| R. 23.008 .....               | rs. 2009 No. 147                     |
| <b>Part 25</b>                |                                      |
| Table of Provisions to .....  | ad. 2004 No. 345                     |
| Part 25                       |                                      |
| <b>Subpart 25.A</b>           |                                      |
| Heading to Subpart A of ..... | ad. 2000 No. 227                     |
| Part 25                       |                                      |
| Relocated and renumbered      |                                      |
| Subpart 25.A .....            | 2002 No. 350                         |
| R. 25.0 .....                 | ad. 2000 No. 204<br>rs. 2002 No. 350 |
| Renumbered r. 25.000 .....    | 2002 No. 350                         |
| R. 25.000 .....               | rep. 2004 No. 345                    |
| R. 25.1 .....                 | am. 2000 No. 227                     |
| Renumbered r. 25.001 .....    | 2002 No. 350                         |
| R. 25.001 .....               | rs. 2009 No. 147                     |

**Table of Amendments**

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| <b>Provision affected</b>                | <b>How affected</b>                  |
|--|--------------------------------------|
| R. 25.2<br>Renumbered r. 25.002 .....    | 2002 No. 350                         |
| R. 25.002 .....                          | am. 2002 No. 350<br>rs. 2009 No. 147 |
| <b>Subpart 25.B</b>                      |                                      |
| Heading to Subpart B of .....<br>Part 25 | ad. 2000 No. 227                     |
| Renumbered Subpart 25.B..                | 2002 No. 350                         |
| Heading to Subpart 25.B .....            | rs. 2009 No. 147                     |
| R. 25.3<br>Renumbered r. 25.003 .....    | 2002 No. 350                         |
| R. 25.4<br>Renumbered r. 25.004 .....    | 2002 No. 350                         |
| R. 25.004 .....                          | rs. 2009 No. 147                     |
| R. 25.5<br>Renumbered r. 25.005 .....    | 2002 No. 350                         |
| R. 25.6<br>Renumbered r. 25.006 .....    | 2002 No. 350                         |
| R. 25.006 .....                          | rs. 2009 No. 147                     |
| <b>Subpart 25.C</b>                      |                                      |
| Subpart C of Part 25 .....               | ad. 2000 No. 227                     |
| Heading to Subpart C of<br>Part 25       |                                      |
| Renumbered.....<br>Subpart 25.C          | 2002 No. 350                         |
| R. 25.11 .....                           | ad. 2000 No. 227                     |
| Renumbered r. 25.011 .....               | 2002 No. 350                         |
| R. 25.13 .....                           | ad. 2000 No. 227                     |
| Renumbered r. 25.013 .....               | 2002 No. 350                         |
| <b>Part 26</b>                           |                                      |
| Table of Provisions to .....<br>Part 26  | ad. 2004 No. 345                     |
| R. 26.0 .....                            | ad. 2000 No. 204                     |
| Renumbered r. 26.000 .....               | 2002 No. 350                         |
| R. 26.000 .....                          | rep. 2004 No. 345                    |
| R. 26.1<br>Renumbered r. 26.001 .....    | 2002 No. 350                         |
| R. 26.2<br>Renumbered r. 26.002 .....    | 2002 No. 350                         |
| <b>Part 27</b>                           |                                      |
| Heading to Part 27 .....                 | rs. 1999 No. 166                     |
| Table of Provisions to .....<br>Part 27  | ad. 2004 No. 345                     |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>    | <b>How affected</b>                  |
|------------------------------|--------------------------------------|
| R. 27.0 .....                | ad. 2000 No. 204                     |
| Renumbered r. 27.000 .....   | 2002 No. 350                         |
| R. 27.000 .....              | rep. 2004 No. 345                    |
| R. 27.1 .....                | am. 1999 No. 166                     |
| Renumbered r. 27.001 .....   | 2002 No. 350                         |
| R. 27.001 .....              | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 27.2                      |                                      |
| Renumbered r. 27.002 .....   | 2002 No. 350                         |
| R. 27.002 .....              | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 27.3                      |                                      |
| Renumbered r. 27.003 .....   | 2002 No. 350                         |
| R. 27.003A.....              | ad. 2009 No. 147                     |
| R. 27.4                      |                                      |
| Renumbered r. 27.004 .....   | 2002 No. 350                         |
| R. 27.005 .....              | ad. 2009 No. 147                     |
| <b>Part 29</b>               |                                      |
| Table of Provisions to ..... | ad. 2004 No. 345                     |
| Part 29                      |                                      |
| R. 29.0 .....                | ad. 2000 No. 204                     |
| Renumbered r. 29.000 .....   | 2002 No. 350                         |
| R. 29.000 .....              | rep. 2004 No. 345                    |
| R. 29.1                      |                                      |
| Renumbered r. 29.001 .....   | 2002 No. 350                         |
| R. 29.001 .....              | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 29.2                      |                                      |
| Renumbered r. 29.002 .....   | 2002 No. 350                         |
| R. 29.002 .....              | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 29.3                      |                                      |
| Renumbered r. 29.003 .....   | 2002 No. 350                         |
| R. 29.003A.....              | ad. 2009 No. 147                     |
| R. 29.4                      |                                      |
| Renumbered r. 29.004 .....   | 2002 No. 350                         |
| R. 29.005 .....              | ad. 2009 No. 147                     |
| <b>Part 31</b>               |                                      |
| Table of Provisions to ..... | ad. 2004 No. 345                     |
| Part 31                      |                                      |
| R. 31.0 .....                | ad. 2000 No. 204                     |
| Renumbered r. 31.000 .....   | 2002 No. 350                         |
| R. 31.000 .....              | rep. 2004 No. 345                    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>               | <b>How affected</b>                  |
|---|--------------------------------------|
| R. 31.1<br>Renumbered r. 31.001 .....   | 2002 No. 350                         |
| R. 31.2<br>Renumbered r. 31.002 .....   | 2002 No. 350                         |
| <b>Part 32</b>                          |                                      |
| Table of Provisions to .....<br>Part 32 | ad. 2004 No. 345                     |
| R. 32.0 .....                           | ad. 2000 No. 204                     |
| Renumbered r. 32.000 .....              | 2002 No. 350                         |
| R. 32.000 .....                         | rep. 2004 No. 345                    |
| R. 32.1<br>Renumbered r. 32.001 .....   | 2002 No. 350                         |
| R. 32.001 .....                         | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 32.2<br>Renumbered r. 32.002 .....   | 2002 No. 350                         |
| R. 32.002 .....                         | am. 2004 No. 345; 2009 No. 147       |
| R. 32.3<br>Renumbered r. 32.003 .....   | 2002 No. 350                         |
| R. 32.003 .....                         | rs. 2009 No. 147                     |
| R. 32.4<br>Renumbered r. 32.004 .....   | 2002 No. 350                         |
| R. 32.004 .....                         | rs. 2009 No. 147                     |
| <b>Part 33</b>                          |                                      |
| Table of Provisions to .....<br>Part 33 | ad. 2004 No. 345                     |
| R. 33.0 .....                           | ad. 2000 No. 204                     |
| Renumbered r. 33.000 .....              | 2002 No. 350                         |
| R. 33.000 .....                         | rep. 2004 No. 345                    |
| R. 33.1<br>Renumbered r. 33.001 .....   | 2002 No. 350                         |
| R. 33.001 .....                         | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 33.2<br>Renumbered r. 33.002 .....   | 2002 No. 350                         |
| R. 33.002 .....                         | am. 2004 No. 345<br>rs. 2009 No. 147 |
| R. 33.3<br>Renumbered r. 33.003 .....   | 2002 No. 350                         |
| R. 33.003A.....                         | ad. 2009 No. 147                     |
| R. 33.4<br>Renumbered r. 33.004 .....   | 2002 No. 350                         |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>               | <b>How affected</b>                         |
|---|---|
| R. 33.005 .....                         | ad. 2009 No. 147                            |
| <b>Part 35</b>                          |   |
| Table of Provisions to .....<br>Part 35 | ad. 2004 No. 345                            |
| R. 35.0 .....                           | ad. 2000 No. 204                            |
| Renumbered r. 35.000 .....              | 2002 No. 350                                |
| R. 35.000 .....                         | rep. 2004 No. 345                           |
| R. 35.1                                 |   |
| Renumbered r. 35.001 .....              | 2002 No. 350                                |
| R. 35.001 .....                         | am. 2004 No. 345<br>rs. 2009 No. 147        |
| R. 35.2                                 |   |
| Renumbered r. 35.002 .....              | 2002 No. 350                                |
| R. 35.002 .....                         | am. 2004 No. 345<br>rs. 2009 No. 147        |
| R. 35.3                                 |   |
| Renumbered r. 35.003 .....              | 2002 No. 350                                |
| R. 35.003A.....                         | ad. 2009 No. 147                            |
| R. 35.4                                 |   |
| Renumbered r. 35.004 .....              | 2002 No. 350                                |
| R. 35.005 .....                         | ad. 2009 No. 147                            |
| <b>Part 39</b>                          |   |
| Part 39 .....                           | ad. 1999 No. 262                            |
| Table of Provisions to .....<br>Part 39 | ad. 2004 No. 345                            |
| R. 39.0 .....                           | ad. 2000 No. 204                            |
| Renumbered r. 39.000 .....              | 2002 No. 350                                |
| R. 39.000 .....                         | rep. 2004 No. 345                           |
| R. 39.001A.....                         | ad. 2009 No. 64                             |
| R. 39.1 .....                           | ad. 1999 No. 262                            |
| Renumbered r. 39.001 .....              | 2002 No. 350                                |
| Heading to r. 39.001 .....              | rs. 2009 No. 64                             |
| R. 39.001 .....                         | am. 2004 No. 230; 2005 No. 323; 2009 No. 64 |
| R. 39.2 .....                           | ad. 1999 No. 262                            |
| Renumbered r. 39.002 .....              | 2002 No. 350                                |
| Heading to r. 39.002 .....              | rs. 2009 No. 64                             |
| R. 39.002 .....                         | am. 2002 No. 350; 2009 No. 64               |
| Note to r. 39.002 .....                 | rep. 2009 No. 64                            |
| R. 39.002A.....                         | ad. 2009 No. 64                             |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>        | <b>How affected</b>                                     |
|----------------------------------|---|
| R. 39.3 .....                    | ad. 1999 No. 262<br>rs. 2002 No. 268                    |
| Renumbered r. 39.003 .....       | 2002 No. 350  |
| Heading to r. 39.003 .....       | rs. 2009 No. 64   |
| R. 39.003 .....                  | am. 2004 No. 134<br>rs. 2004 No. 230<br>am. 2009 No. 64 |
| Notes 1 and 2 to r. 39.003 ..... | rep. 2009 No. 64  |
| R. 39.4 .....                    | ad. 1999 No. 262  |
| Renumbered r. 39.004 .....       | 2002 No. 350  |
| R. 39.004 .....                  | am. 2004 No. 230<br>rs. 2009 No. 64                     |
| R. 39.5 .....                    | ad. 1999 No. 262<br>am. 2002 No. 350                    |
| Renumbered r. 39.005 .....       | 2002 No. 350  |
| R. 39.005 .....                  | rs. 2009 No. 64   |
| R. 39.6 .....                    | ad. 1999 No. 262  |
| Renumbered r. 39.006 .....       | 2002 No. 350  |
| Heading to r. 39.006 .....       | rs. 2009 No. 64   |
| R. 39.006 .....                  | am. 2009 No. 64   |
| Note to r. 39.006 .....          | rep. 2009 No. 64  |
| R. 39.7 .....                    | ad. 1999 No. 262  |
| Renumbered r. 39.007 .....       | 2002 No. 350  |
| R. 39.007 .....                  | am. 2002 No. 350; 2009 No. 64                           |
| Note to r. 39.007 (4) .....      | rep. 2009 No. 64  |
| <b>Part 42</b>                   |   |
| Part 42 .....                    | ad. 2010 No. 328  |
| <b>Subpart 42.A</b>              |   |
| R. 42.005 .....                  | ad. 2010 No. 328  |
| R. 42.010 .....                  | ad. 2010 No. 328  |
| R. 42.015 .....                  | ad. 2010 No. 328<br>am. 2011 No. 76; 2012 No. 107       |
| R. 42.020 .....                  | ad. 2010 No. 328  |
| <b>Subpart 42.B</b>              |   |
| <b>Division 42.B.1</b>           |   |
| R. 42.025 .....                  | ad. 2010 No. 328  |
| <b>Division 42.B.2</b>           |   |
| R. 42.030 .....                  | ad. 2010 No. 328  |
| R. 42.035 .....                  | ad. 2010 No. 328  |
| R. 42.040 .....                  | ad. 2010 No. 328  |
| R. 42.045 .....                  | ad. 2010 No. 328  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| R. 42.050 .....             | ad. 2010 No. 328    |
| R. 42.055 .....             | ad. 2010 No. 328    |
| R. 42.060 .....             | ad. 2010 No. 328    |
| R. 42.065 .....             | ad. 2010 No. 328    |
| R. 42.070 .....             | ad. 2010 No. 328    |
| R. 42.075 .....             | ad. 2010 No. 328    |
| R. 42.080 .....             | ad. 2010 No. 328    |
| <b>Division 42.B.3</b>      |                     |
| R. 42.085 .....             | ad. 2010 No. 328    |
| R. 42.090 .....             | ad. 2010 No. 328    |
| R. 42.095 .....             | ad. 2010 No. 328    |
| <b>Subpart 42.C</b>         |                     |
| <b>Division 42.C.1</b>      |                     |
| R. 42.100 .....             | ad. 2010 No. 328    |
| R. 42.105 .....             | ad. 2010 No. 328    |
| <b>Division 42.C.2</b>      |                     |
| R. 42.110 .....             | ad. 2010 No. 328    |
| R. 42.115 .....             | ad. 2010 No. 328    |
| R. 42.120 .....             | ad. 2010 No. 328    |
| R. 42.125 .....             | ad. 2010 No. 328    |
| R. 42.130 .....             | ad. 2010 No. 328    |
| R. 42.135 .....             | ad. 2010 No. 328    |
| R. 42.140 .....             | ad. 2010 No. 328    |
| R. 42.145 .....             | ad. 2010 No. 328    |
| R. 42.150 .....             | ad. 2010 No. 328    |
| R. 42.155 .....             | ad. 2010 No. 328    |
| R. 42.160 .....             | ad. 2010 No. 328    |
| R. 42.165 .....             | ad. 2010 No. 328    |
| <b>Division 42.C.3</b>      |                     |
| <b>Subdivision 42.C.3.1</b> |                     |
| R. 42.170 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.C.3.2</b> |                     |
| R. 42.175 .....             | ad. 2010 No. 328    |
| R. 42.180 .....             | ad. 2010 No. 328    |
| R. 42.185 .....             | ad. 2010 No. 328    |
| R. 42.190 .....             | ad. 2010 No. 328    |
| R. 42.195 .....             | ad. 2010 No. 328    |
| R. 42.200 .....             | ad. 2010 No. 328    |
| R. 42.205 .....             | ad. 2010 No. 328    |

**Table of Amendments**

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| <b>Provision affected</b>    | <b>How affected</b>                 |
|------------------------------|-------------------------------------|
| R. 42.210 .....              | ad. 2010 No. 328                    |
| <b>Subdivision 42.C.3.3</b>  |                                     |
| R. 42.215 .....              | ad. 2010 No. 328                    |
| <b>Subdivision 42.C.3.4</b>  |                                     |
| R. 42.220 .....              | ad. 2010 No. 328                    |
| R. 42.225 .....              | ad. 2010 No. 328                    |
| <b>Subdivision 42.C.3.5</b>  |                                     |
| R. 42.230 .....              | ad. 2010 No. 328                    |
| R. 42.235 .....              | ad. 2010 No. 328                    |
| R. 42.240 .....              | ad. 2010 No. 328                    |
| <b>Subdivision 42.C.3.6</b>  |                                     |
| R. 42.245 .....              | ad. 2010 No. 328                    |
| R. 42.250 .....              | ad. 2010 No. 328                    |
| R. 42.255 .....              | ad. 2010 No. 328                    |
| <b>Subdivision 42.C.3.7</b>  |                                     |
| R. 42.260 .....              | ad. 2010 No. 328                    |
| R. 42.265 .....              | ad. 2010 No. 328                    |
| <b>Division 42.C.4</b>       |                                     |
| R. 42.270 .....              | ad. 2010 No. 328<br>am. 2011 No. 76 |
| Note to r. 42.270 (2) .....  | ad. 2011 No. 76                     |
| Note 1 to r. 42.270 (2)..... | rep. 2011 No. 76                    |
| Note 2 to r. 42.270 (2)..... | rep. 2011 No. 76                    |
| R. 42.275 .....              | ad. 2010 No. 328                    |
| R. 42.280 .....              | ad. 2010 No. 328                    |
| R. 42.285 .....              | ad. 2010 No. 328                    |
| <b>Subpart 42.D</b>          |                                     |
| <b>Division 42.D.1</b>       |                                     |
| R. 42.290 .....              | ad. 2010 No. 328                    |
| <b>Division 42.D.2</b>       |                                     |
| R. 42.295 .....              | ad. 2010 No. 328                    |
| R. 42.300 .....              | ad. 2010 No. 328                    |
| <b>Division 42.D.3</b>       |                                     |
| R. 42.305 .....              | ad. 2010 No. 328                    |
| <b>Division 42.D.4</b>       |                                     |
| R. 42.310 .....              | ad. 2010 No. 328                    |
| R. 42.315 .....              | ad. 2010 No. 328                    |
| R. 42.320 .....              | ad. 2010 No. 328                    |
| R. 42.325 .....              | ad. 2010 No. 328                    |

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| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| R. 42.330 .....             | ad. 2010 No. 328    |
| <b>Division 42.D.5</b>      |                     |
| R. 42.335 .....             | ad. 2010 No. 328    |
| R. 42.340 .....             | ad. 2010 No. 328    |
| R. 42.345 .....             | ad. 2010 No. 328    |
| <b>Division 42.D.6</b>      |                     |
| <b>Subdivision 42.D.6.1</b> |                     |
| R. 42.350 .....             | ad. 2010 No. 328    |
| R. 42.355 .....             | ad. 2010 No. 328    |
| R. 42.360 .....             | ad. 2010 No. 328    |
| R. 42.365 .....             | ad. 2010 No. 328    |
| R. 42.370 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.D.6.2</b> |                     |
| R. 42.375 .....             | ad. 2010 No. 328    |
| R. 42.380 .....             | ad. 2010 No. 328    |
| R. 42.385 .....             | ad. 2010 No. 328    |
| R. 42.390 .....             | ad. 2010 No. 328    |
| <b>Division 42.D.7</b>      |                     |
| R. 42.395 .....             | ad. 2010 No. 328    |
| R. 42.400 .....             | ad. 2010 No. 328    |
| R. 42.405 .....             | ad. 2010 No. 328    |
| R. 42.410 .....             | ad. 2010 No. 328    |
| <b>Subpart 42.E</b>         |                     |
| <b>Division 42.E.1</b>      |                     |
| R. 42.415 .....             | ad. 2010 No. 328    |
| <b>Division 42.E.2</b>      |                     |
| R. 42.420 .....             | ad. 2010 No. 328    |
| R. 42.425 .....             | ad. 2010 No. 328    |
| R. 42.430 .....             | ad. 2010 No. 328    |
| R. 42.435 .....             | ad. 2010 No. 328    |
| R. 42.440 .....             | ad. 2010 No. 328    |
| R. 42.445 .....             | ad. 2010 No. 328    |
| R. 42.450 .....             | ad. 2010 No. 328    |
| R. 42.455 .....             | ad. 2010 No. 328    |
| <b>Division 42.E.3</b>      |                     |
| R. 42.460 .....             | ad. 2010 No. 328    |
| R. 42.465 .....             | ad. 2010 No. 328    |
| <b>Division 42.E.4</b>      |                     |
| R. 42.470 .....             | ad. 2010 No. 328    |

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| <b>Provision affected</b> | <b>How affected</b> |
|---------------------------|---------------------|
| R. 42.475 .....           | ad. 2010 No. 328    |
| R. 42.480 .....           | ad. 2010 No. 328    |
| R. 42.485 .....           | ad. 2010 No. 328    |
| R. 42.490 .....           | ad. 2010 No. 328    |
| <b>Subpart 42.F</b>       |                     |
| <b>Division 42.F.1</b>    |                     |
| R. 42.495 .....           | ad. 2010 No. 328    |
| R. 42.500 .....           | ad. 2010 No. 328    |
| R. 42.505 .....           | ad. 2010 No. 328    |
| <b>Division 42.F.2</b>    |                     |
| R. 42.510 .....           | ad. 2010 No. 328    |
| R. 42.515 .....           | ad. 2010 No. 328    |
| R. 42.520 .....           | ad. 2010 No. 328    |
| R. 42.525 .....           | ad. 2010 No. 328    |
| R. 42.530 .....           | ad. 2010 No. 328    |
| <b>Division 42.F.3</b>    |                     |
| R. 42.535 .....           | ad. 2010 No. 328    |
| R. 42.540 .....           | ad. 2010 No. 328    |
| R. 42.545 .....           | ad. 2010 No. 328    |
| R. 42.550 .....           | ad. 2010 No. 328    |
| <b>Division 42.F.4</b>    |                     |
| R. 42.555 .....           | ad. 2010 No. 328    |
| R. 42.560 .....           | ad. 2010 No. 328    |
| R. 42.565 .....           | ad. 2010 No. 328    |
| <b>Subpart 42.G</b>       |                     |
| <b>Division 42.G.1</b>    |                     |
| R. 42.570 .....           | ad. 2010 No. 328    |
| R. 42.575 .....           | ad. 2010 No. 328    |
| R. 42.580 .....           | ad. 2010 No. 328    |
| <b>Division 42.G.2</b>    |                     |
| R. 42.585 .....           | ad. 2010 No. 328    |
| R. 42.590 .....           | ad. 2010 No. 328    |
| R. 42.595 .....           | ad. 2010 No. 328    |
| R. 42.600 .....           | ad. 2010 No. 328    |
| R. 42.605 .....           | ad. 2010 No. 328    |
| <b>Division 42.G.3</b>    |                     |
| R. 42.610 .....           | ad. 2010 No. 328    |
| R. 42.615 .....           | ad. 2010 No. 328    |
| R. 42.620 .....           | ad. 2010 No. 328    |



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| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| R. 42.625 .....             | ad. 2010 No. 328    |
| <b>Division 42.G.4</b>      |                     |
| R. 42.630 .....             | ad. 2010 No. 328    |
| R. 42.635 .....             | ad. 2010 No. 328    |
| R. 42.640 .....             | ad. 2010 No. 328    |
| R. 42.645 .....             | ad. 2010 No. 328    |
| <b>Division 42.G.5</b>      |                     |
| R. 42.650 .....             | ad. 2010 No. 328    |
| R. 42.655 .....             | ad. 2010 No. 328    |
| R. 42.660 .....             | ad. 2010 No. 328    |
| R. 42.665 .....             | ad. 2010 No. 328    |
| R. 42.670 .....             | ad. 2010 No. 328    |
| R. 42.675 .....             | ad. 2010 No. 328    |
| <b>Subpart 42.H</b>         |                     |
| <b>Division 42.H.1</b>      |                     |
| R. 42.680 .....             | ad. 2010 No. 328    |
| <b>Division 42.H.2</b>      |                     |
| <b>Subdivision 42.H.2.1</b> |                     |
| R. 42.685 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.2.2</b> |                     |
| R. 42.690 .....             | ad. 2010 No. 328    |
| R. 42.695 .....             | ad. 2010 No. 328    |
| R. 42.700 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.2.3</b> |                     |
| R. 42.705 .....             | ad. 2010 No. 328    |
| R. 42.710 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.2.4</b> |                     |
| R. 42.715 .....             | ad. 2010 No. 328    |
| <b>Division 42.H.3</b>      |                     |
| <b>Subdivision 42.H.3.1</b> |                     |
| R. 42.720 .....             | ad. 2010 No. 328    |
| R. 42.725 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.3.2</b> |                     |
| R. 42.730 .....             | ad. 2010 No. 328    |
| R. 42.735 .....             | ad. 2010 No. 328    |
| R. 42.740 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.3.3</b> |                     |
| R. 42.745 .....             | ad. 2010 No. 328    |
| R. 42.750 .....             | ad. 2010 No. 328    |

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| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| R. 42.755 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.3.4</b> |                     |
| R. 42.760 .....             | ad. 2010 No. 328    |
| R. 42.765 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.3.5</b> |                     |
| R. 42.770 .....             | ad. 2010 No. 328    |
| <b>Division 42.H.4</b>      |                     |
| <b>Subdivision 42.H.4.1</b> |                     |
| R. 42.775 .....             | ad. 2010 No. 328    |
| R. 42.780 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.4.2</b> |                     |
| R. 42.785 .....             | ad. 2010 No. 328    |
| R. 42.790 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.4.3</b> |                     |
| R. 42.795 .....             | ad. 2010 No. 328    |
| R. 42.800 .....             | ad. 2010 No. 328    |
| R. 42.805 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.4.4</b> |                     |
| R. 42.810 .....             | ad. 2010 No. 328    |
| R. 42.815 .....             | ad. 2010 No. 328    |
| <b>Subdivision 42.H.4.5</b> |                     |
| R. 42.820 .....             | ad. 2010 No. 328    |
| R. 42.825 .....             | ad. 2010 No. 328    |
| <b>Subpart 42.I</b>         |                     |
| <b>Division 42.I.1</b>      |                     |
| R. 42.830 .....             | ad. 2010 No. 328    |
| R. 42.835 .....             | ad. 2010 No. 328    |
| <b>Division 42.I.2</b>      |                     |
| R. 42.840 .....             | ad. 2010 No. 328    |
| R. 42.845 .....             | ad. 2010 No. 328    |
| R. 42.850 .....             | ad. 2010 No. 328    |
| R. 42.855 .....             | ad. 2010 No. 328    |
| R. 42.860 .....             | ad. 2010 No. 328    |
| R. 42.865 .....             | ad. 2010 No. 328    |
| R. 42.870 .....             | ad. 2010 No. 328    |
| <b>Division 42.I.3</b>      |                     |
| R. 42.875 .....             | ad. 2010 No. 328    |
| R. 42.880 .....             | ad. 2010 No. 328    |
| R. 42.885 .....             | ad. 2010 No. 328    |

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| <b>Provision affected</b> | <b>How affected</b> |
|---------------------------|---------------------|
| R. 42.890 .....           | ad. 2010 No. 328    |
| R. 42.895 .....           | ad. 2010 No. 328    |
| <b>Division 42.I.4</b>    |                     |
| R. 42.900 .....           | ad. 2010 No. 328    |
| <b>Division 42.I.5</b>    |                     |
| R. 42.905 .....           | ad. 2010 No. 328    |
| R. 42.910 .....           | ad. 2010 No. 328    |
| R. 42.915 .....           | ad. 2010 No. 328    |
| R. 42.920 .....           | ad. 2010 No. 328    |
| R. 42.925 .....           | ad. 2010 No. 328    |
| <b>Division 42.1.6</b>    |                     |
| R. 42.930 .....           | ad. 2010 No. 328    |
| <b>Subpart 42.J</b>       |                     |
| <b>Division 42.J.1</b>    |                     |
| R. 42.935 .....           | ad. 2010 No. 328    |
| <b>Division 42.J.2</b>    |                     |
| R. 42.940 .....           | ad. 2010 No. 328    |
| R. 42.945 .....           | ad. 2010 No. 328    |
| R. 42.950 .....           | ad. 2010 No. 328    |
| R. 42.955 .....           | ad. 2010 No. 328    |
| R. 42.960 .....           | ad. 2010 No. 328    |
| R. 42.965 .....           | ad. 2010 No. 328    |
| <b>Division 42.J.3</b>    |                     |
| R. 42.970 .....           | ad. 2010 No. 328    |
| R. 42.975 .....           | ad. 2010 No. 328    |
| R. 42.980 .....           | ad. 2010 No. 328    |
| <b>Division 42.J.4</b>    |                     |
| R. 42.985 .....           | ad. 2010 No. 328    |
| R. 42.990 .....           | ad. 2010 No. 328    |
| R. 42.995 .....           | ad. 2010 No. 328    |
| R. 42.1000 .....          | ad. 2010 No. 328    |
| R. 42.1005 .....          | ad. 2010 No. 328    |
| R. 42.1010 .....          | ad. 2010 No. 328    |
| <b>Division 42.J.5</b>    |                     |
| R. 42.1015 .....          | ad. 2010 No. 328    |
| R. 42.1020 .....          | ad. 2010 No. 328    |
| R. 42.1025 .....          | ad. 2010 No. 328    |
| <b>Subpart 42.K</b>       |                     |
| R. 42.1030 .....          | ad. 2010 No. 328    |

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| <b>Provision affected</b>               | <b>How affected</b>   |
|---|---|
| R. 42.1035 .....                        | ad. 2010 No. 328  |
| <b>Subpart 42.L</b>                     |   |
| <b>Division 42.L.1</b>                  |   |
| R. 42.1040 .....                        | ad. 2010 No. 328  |
| <b>Division 42.L.2</b>                  |   |
| R. 42.1045 .....                        | ad. 2010 No. 328  |
| R. 42.1050 .....                        | ad. 2010 No. 328  |
| <b>Division 42.L.3</b>                  |   |
| R. 42.1055 .....                        | ad. 2010 No. 328  |
| R. 42.1060 .....                        | ad. 2010 No. 328  |
| <b>Subpart 42.M</b>                     |   |
| R. 42.1065 .....                        | ad. 2010 No. 328  |
| R. 42.0170 .....                        | ad. 2010 No. 328  |
| R. 42.1075 .....                        | ad. 2010 No. 328  |
| <b>Subpart 42.N</b>                     |   |
| R. 42.1080 .....                        | ad. 2010 No. 328  |
| R. 42.1085 .....                        | ad. 2010 No. 328  |
| R. 42.1090 .....                        | ad. 2010 No. 328  |
| R. 42.1095 .....                        | ad. 2010 No. 328  |
| <b>Subpart 42.O</b>                     |   |
| R. 42.1100 .....                        | ad. 2010 No. 328  |
| R. 42.1105 .....                        | ad. 2010 No. 328  |
| Part 43 .....                           | ad. 2000 No. 204<br>rep. 2010 No. 328                                   |
| <b>Part 45</b>                          |   |
| Part 45 .....                           | ad. 2000 No. 204  |
| Table of Provisions to<br>Part 45 ..... | ad. 2004 No. 345  |
| <b>Subpart 45.A</b>                     |   |
| Subpart A of Part 45<br>Renumbered..... | 2002 No. 350  |
| Subpart 45.A                            |   |
| R. 45.000 .....                         | ad. 2000 No. 204<br>am. 2001 No. 242; 2002 No. 350<br>rep. 2004 No. 345 |
| R. 45.005 .....                         | ad. 2000 No. 204  |
| Note to r. 45.005 (2).....              | am. 2011 No. 77   |
| <b>Subpart 45.B</b>                     |   |
| Subpart B of Part 45<br>Renumbered..... | 2002 No. 350  |
| Subpart 45.B                            |   |

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| <b>Provision affected</b>    | <b>How affected</b>                                |
|------------------------------|--|
| <b>Division 45.B.1</b>       |  |
| Div. 1 of Subpart 45.B       |  |
| Renumbered Div. 45.B.1 ..... | 2002 No. 350                                       |
| R. 45.010 .....              | ad. 2000 No. 204                                   |
| Note to r. 45.010 .....      | am. 2011 No. 77                                    |
| R. 45.015 .....              | ad. 2000 No. 204                                   |
| R. 45.020 .....              | ad. 2000 No. 204<br>am. 2002 No. 350; 2004 No. 134 |
| R. 45.025 .....              | ad. 2000 No. 204<br>am. 2004 No. 134               |
| R. 45.030 .....              | ad. 2000 No. 204                                   |
| R. 45.035 .....              | ad. 2000 No. 204<br>am. 2002 No. 268               |
| Note to r. 45.035 (5).....   | am. 2011 No. 77                                    |
| R. 45.040 .....              | ad. 2000 No. 204                                   |
| R. 45.045 .....              | ad. 2000 No. 204                                   |
| R. 45.050 .....              | ad. 2000 No. 204                                   |
| R. 45.055 .....              | ad. 2000 No. 204                                   |
| Heading to r. 45.060 .....   | rs. 2001 No. 242                                   |
| R. 45.060 .....              | ad. 2000 No. 204<br>am. 2001 No. 242               |
| R. 45.065 .....              | ad. 2000 No. 204<br>am. 2001 No. 242               |
| R. 45.070 .....              | ad. 2000 No. 204                                   |
| R. 45.075 .....              | ad. 2000 No. 204                                   |
| R. 45.080 .....              | ad. 2000 No. 204                                   |
| R. 45.085 .....              | ad. 2000 No. 204<br>am. 2002 No. 268               |
| R. 45.090 .....              | ad. 2000 No. 204<br>am. 2002 No. 268               |
| Note to r. 45.090 (2).....   | am. 2011 No. 77                                    |
| <b>Division 45.B.2</b>       |  |
| Div. 2 of Subpart 45.B       |  |
| Renumbered Div. 45.B.2 ..... | 2002 No. 350                                       |
| R. 45.095 .....              | ad. 2000 No. 204                                   |
| R. 45.100 .....              | ad. 2000 No. 204                                   |
| Note to r. 45.100 (2).....   | am. 2002 No. 350                                   |
| R. 45.105 .....              | ad. 2000 No. 204<br>am. 2002 No. 268               |
| R. 45.110 .....              | ad. 2000 No. 204                                   |

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| <b>Provision affected</b>                              | <b>How affected</b>                               |
|--|---|
| <b>Division 45.B.3</b>                                 |   |
| Div. 3 of Subpart 45.B<br>Renumbered Div. 45.B.3 ..... | 2002 No. 350                                      |
| R. 45.115 .....  | ad. 2000 No. 204<br>am. 2002 No. 268; 2011 No. 77 |
| <b>Subpart 45.C</b>                                    |   |
| Subpart C of Part 45<br>Renumbered.....                | 2002 No. 350                                      |
| Subpart 45.C   |   |
| R. 45.120 .....  | ad. 2000 No. 204<br>am. 2002 No. 350              |
| R. 45.125 .....  | ad. 2000 No. 204<br>am. 2002 No. 268              |
| R. 45.130 .....  | ad. 2000 No. 204                                  |
| <b>Subpart 45.D</b>                                    |   |
| Subpart D of Part 45<br>Renumbered.....                | 2002 No. 350                                      |
| Subpart 45.D   |   |
| R. 45.135 .....  | ad. 2000 No. 204                                  |
| R. 45.140 .....  | ad. 2000 No. 204<br>am. 2004 No. 134              |
| R. 45.145 .....  | ad. 2000 No. 204<br>rs. 2002 No. 268              |
| R. 45.150 .....  | ad. 2000 No. 204<br>am. 2001 No. 242              |
| R. 45.155 .....  | ad. 2000 No. 204<br>am. 2002 No. 268              |
| Note to r. 45.155 (1).....                             | am. 2002 No. 350                                  |
| R. 45.160 .....  | ad. 2000 No. 204<br>am. 2002 No. 268              |
| <b>Subpart 45.E</b>                                    |   |
| Subpart E of Part 45<br>Renumbered.....                | 2002 No. 350                                      |
| Subpart 45.E   |   |
| R. 45.165 .....  | ad. 2000 No. 204                                  |
| R. 45.170 .....  | ad. 2000 No. 204<br>am. 2002 No. 268              |
| Note (second occurring) to.....<br>r. 45.170 (2)       | am. 2011 No. 77                                   |
| <b>Part 47</b>   |   |
| Part 47 .....  | ad. 2000 No. 204<br>rs. 2004 No. 134              |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                                      |
|----------------------------|--|
| <b>Subpart 47.A</b>        |  |
| R. 47.005 .....            | ad. 2004 No. 134   |
| R. 47.010 .....            | ad. 2004 No. 134   |
| R. 47.015 .....            | ad. 2004 No. 134   |
| Note to r. 47.015 (2)..... | am. 2011 No. 77  |
| R. 47.020 .....            | ad. 2004 No. 134   |
| <b>Subpart 47.B</b>        |  |
| R. 47.025 .....            | ad. 2004 No. 134   |
| R. 47.030 .....            | ad. 2004 No. 134   |
| R. 47.035 .....            | ad. 2004 No. 134<br>rs. 2004 No. 345                     |
| R. 47.040 .....            | ad. 2004 No. 134<br>am. 2004 No. 345                     |
| R. 47.045 .....            | ad. 2004 No. 134   |
| R. 47.050 .....            | ad. 2004 No. 134   |
| R. 47.055 .....            | ad. 2004 No. 134   |
| <b>Subpart 47.C</b>        |  |
| R. 47.060 .....            | ad. 2004 No. 134   |
| R. 47.065 .....            | ad. 2004 No. 134<br>am. 2004 No. 345                     |
| Note 2 to r. 47.065 .....  | rs. 2004 No. 345   |
| R. 47.070 .....            | ad. 2004 No. 134   |
| R. 47.075 .....            | ad. 2004 No. 134   |
| R. 47.080 .....            | ad. 2004 No. 134   |
| R. 47.085 .....            | ad. 2004 No. 134   |
| R. 47.090 .....            | ad. 2004 No. 134   |
| R. 47.095 .....            | ad. 2004 No. 134   |
| <b>Subpart 47.D</b>        |  |
| R. 47.100 .....            | ad. 2004 No. 134<br>am. 2004 No. 345                     |
| <b>Subpart 47.E</b>        |  |
| R. 47.105 .....            | ad. 2004 No. 134   |
| R. 47.110 .....            | ad. 2004 No. 134<br>am. 2009 No. 232                     |
| <b>Subpart 47.F</b>        |  |
| R. 47.115 .....            | ad. 2004 No. 134   |
| R. 47.120 .....            | ad. 2004 No. 134<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 47.125 .....            | ad. 2004 No. 134<br>rep. 2011 No. 77                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>               | <b>How affected</b>                                      |
|---|--|
| R. 47.130 .....                         | ad. 2004 No. 134<br>am. 2009 No. 232; 2011 No. 77        |
| R. 47.135 .....                         | ad. 2004 No. 134<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| <b>Subpart 47.G</b>                     |  |
| R. 47.140 .....                         | ad. 2004 No. 134   |
| R. 47.145 .....                         | ad. 2004 No. 134   |
| R. 47.150 .....                         | ad. 2004 No. 134   |
| R. 47.155 .....                         | ad. 2004 No. 134   |
| R. 47.160 .....                         | ad. 2004 No. 134<br>am. 2004 No. 345                     |
| R. 47.165 .....                         | ad. 2004 No. 134<br>am. 2004 No. 345                     |
| <b>Subpart 47.H</b>                     |  |
| R. 47.170 .....                         | ad. 2004 No. 134   |
| R. 47.175 .....                         | ad. 2004 No. 134   |
| R. 47.180 .....                         | ad. 2004 No. 134   |
| R. 47.185 .....                         | ad. 2004 No. 134   |
| R. 47.190 .....                         | ad. 2004 No. 134   |
| R. 47.195 .....                         | ad. 2004 No. 134   |
| R. 47.200 .....                         | ad. 2004 No. 134<br>rep. 2011 No. 77                     |
| R. 47.205 .....                         | ad. 2004 No. 134   |
| R. 47.210 .....                         | ad. 2004 No. 134   |
| R. 47.215 .....                         | ad. 2004 No. 134   |
| R. 47.220 .....                         | ad. 2004 No. 134   |
| R. 47.225 .....                         | ad. 2004 No. 134<br>am. 2011 No. 77                      |
| <b>Part 60</b>                          |  |
| Part 60 .....                           | ad. 2003 No. 240   |
| Table of Provisions to<br>Part 60 ..... | ad. 2004 No. 345   |
| <b>Subpart 60.A</b>                     |  |
| R. 60.000 .....                         | ad. 2003 No. 240<br>rep. 2004 No. 345                    |
| R. 60.005 .....                         | ad. 2003 No. 240   |
| R. 60.010 .....                         | ad. 2003 No. 240   |
| <b>Subpart 60.B</b>                     |  |
| R. 60.015 .....                         | ad. 2003 No. 240   |
| R. 60.020 .....                         | ad. 2003 No. 240   |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>    | <b>How affected</b>                  |
|------------------------------|--------------------------------------|
| R. 60.025 .....              | ad. 2003 No. 240                     |
| Note 1 to r. 60.025 (1)..... | ad. 2011 No. 77                      |
| Note 2 to r. 60.025 (1)..... | ad. 2011 No. 77                      |
| R. 60.030 .....              | ad. 2003 No. 240                     |
| Note to r. 60.030 (2).....   | ad. 2011 No. 77                      |
| R. 60.035 .....              | ad. 2003 No. 240                     |
| R. 60.040 .....              | ad. 2003 No. 240                     |
| R. 60.045 .....              | ad. 2003 No. 240                     |
| R. 60.050 .....              | ad. 2003 No. 240                     |
| R. 60.055 .....              | ad. 2003 No. 240<br>am. 2011 No. 77  |
| Note to r. 60.055 (1) .....  | rep. 2011No. 77                      |
| Note 1 to r. 60.055 (1)..... | ad. 2011 No. 77                      |
| Note 2 to r. 60.055 (1)..... | ad. 2011 No. 77                      |
| Note 3 to r. 60.055 (1)..... | ad. 2011 No. 77                      |
| R. 60.060 .....              | ad. 2003 No. 240                     |
| R. 60.065 .....              | ad. 2003 No. 240                     |
| R. 60.070 .....              | ad. 2003 No. 240                     |
| R. 60.075 .....              | ad. 2003 No. 240                     |
| R. 60.080 .....              | ad. 2003 No. 240                     |
| R. 60.085 .....              | ad. 2003 No. 240                     |
| R. 60.090 .....              | ad. 2003 No. 240                     |
| R. 60.095 .....              | ad. 2003 No. 240                     |
| <b>Subpart 60.C</b>          |                                      |
| Subpart 60.C.....            | ad. 2003 No. 240                     |
| <b>Part 61</b>               |                                      |
| Part 61 .....                | ad. 2000 No. 204                     |
| <b>Part 63</b>               |                                      |
| Part 63 .....                | ad. 2000 No. 204                     |
| <b>Part 64</b>               |                                      |
| Part 64 .....                | ad. 2000 No. 204                     |
| <b>Part 65</b>               |                                      |
| Part 65 .....                | ad. 2000 No. 204<br>rs. 2002 No. 167 |
| Table of Provisions to ..... | ad. 2004 No. 345                     |
| Part 65                      |                                      |
| <b>Subpart 65.A</b>          |                                      |
| Subpart A of Part 65         |                                      |
| Renumbered.....              | 2004 No. 345                         |
| Subpart 65.A                 |                                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                                      |
|----------------------------|--|
| R. 65.000 .....            | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 65.005 .....            | ad. 2002 No. 167<br>rs. 2003 No. 75                      |
| R. 65.010 .....            | ad. 2002 No. 167<br>am. 2003 No. 75                      |
| R. 65.015 .....            | ad. 2002 No. 167   |
| R. 65.020 .....            | ad. 2002 No. 167   |
| R. 65.025 .....            | ad. 2002 No. 167   |
| R. 65.030 .....            | ad. 2002 No. 167   |
| R. 65.033 .....            | ad. 2003 No. 75<br>am. 2004 No. 345                      |
| Note to r. 65.033 (1)..... | rs. 2005 No. 323   |
| R. 65.033A.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033B.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033C.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033D.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033E.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033F .....           | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033G .....           | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 65.033H.....            | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| <b>Subpart 65.B</b>        |  |
| Subpart B of Part 65       |  |
| Renumbered.....            | 2004 No. 345   |
| Subpart 65.B               |  |
| R. 65.035 .....            | ad. 2002 No. 167   |
| R. 65.040 .....            | ad. 2002 No. 167   |
| R. 65.045 .....            | ad. 2002 No. 167<br>am. 2003 No. 75                      |
| R. 65.050 .....            | ad. 2002 No. 167   |
| R. 65.055 .....            | ad. 2002 No. 167   |
| R. 65.060 .....            | ad. 2002 No. 167   |
| R. 65.065 .....            | ad. 2002 No. 167<br>rs. 2003 No. 75                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                              |
|---|--|
| <b>Subpart 65.C</b>   |  |
| Subpart C of Part 65<br>Renumbered.....                           | 2004 No. 345                                     |
| Subpart 65.C  |  |
| Heading to Subpart 65.C .....                                     | rs. 2011 No. 77                                  |
| Note to heading to .....  | ad. 2011 No. 77                                  |
| Subpart 65.C  |  |
| <b>Division 65.C.1</b>  |  |
| Div. 1 of Subpart C of<br>Part 65<br>Renumbered Div. 65.C.1 ..... | 2004 No. 345                                     |
| R. 65.070 .....   | ad. 2002 No. 167<br>am. 2003 No. 75              |
| R. 65.075 .....   | ad. 2002 No. 167                                 |
| R. 65.080 .....   | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77 |
| Note to r. 65.080 (1).....  | ad. 2011 No. 77                                  |
| Heading to r. 65.085 .....  | rs. 2003 No. 75                                  |
| R. 65.085 .....   | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77 |
| Note to r. 65.085 (2).....  | ad. 2011 No. 77                                  |
| R. 65.090 .....   | ad. 2002 No. 167                                 |
| R. 65.095 .....   | ad. 2002 No. 167<br>am. 2003 No. 75              |
| R. 65.100 .....   | ad. 2002 No. 167                                 |
| R. 65.105 .....   | ad. 2002 No. 167                                 |
| R. 65.110 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77             |
| R. 65.115 .....   | ad. 2002 No. 167                                 |
| R. 65.120 .....   | ad. 2002 No. 167                                 |
| <b>Division 65.C.2</b>  |  |
| Div. 2 of Subpart C of<br>Part 65<br>Renumbered Div. 65.C.2.....  | 2004 No. 345                                     |
| Heading to Div. 65.C.2.....                                       | rs. 2011 No. 77                                  |
| R. 65.125 .....   | ad. 2002 No. 167<br>am. 2003 No. 75              |
| R. 65.130 .....   | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77 |
| Note to r. 65.130 (1).....  | rs. 2011 No. 77                                  |
| R. 65.135 .....   | ad. 2002 No. 167<br>am. 2003 No. 75              |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                                     |
|---|---|
| R. 65.140 .....   | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77        |
| Note to r. 65.140 (1A) .....                                      | ad. 2011 No. 77   |
| R. 65.145 .....   | ad. 2002 No. 167  |
| R. 65.150 .....   | ad. 2002 No. 167  |
| R. 65.155 .....   | ad. 2002 No. 167  |
| R. 65.160 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 65.165 .....   | ad. 2002 No. 167  |
| R. 65.170 .....   | ad. 2002 No. 167  |
| <b>Subpart 65.E</b>   |   |
| Subpart E of Part 65<br>Renumbered.....                           | 2004 No. 345  |
| Subpart 65.E  |   |
| <b>Division 65.E.1</b>  |   |
| Div. 1 of Subpart E of<br>Part 65<br>Renumbered Div. 65.E.1 ..... | 2004 No. 345  |
| Heading to Div. 65.E.1 .....                                      | rs. 2011 No. 77   |
| Note to heading to<br>Div. 65. E. 1 .....                         | ad. 2011 No. 77   |
| R. 65.175 .....   | ad. 2002 No. 167<br>am. 2011 No. 77                     |
| R. 65.180 .....   | ad. 2002 No. 167<br>am. 2011 No. 77                     |
| R. 65.185 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 65.190 .....   | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2011 No. 77 |
| R. 65.195 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 65.200 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 65.205 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 65.210 .....   | ad. 2002 No. 167<br>rep. 2003 No. 75                    |
| R. 65.215 .....   | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2011 No. 77 |
| R. 65.220 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                    |

**Table of Amendments**

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| <b>Provision affected</b>         | <b>How affected</b>                                    |
|-----------------------------------|--|
| R. 65.225 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75<br>rs. 2011 No. 77 |
| R. 65.230 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77       |
| R. 65.235 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77                   |
| R. 65.240 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77                   |
| R. 65.245 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77                   |
| <b>Division 65.E.2</b>            |  |
| Div. 2 of Subpart E of<br>Part 65 |  |
| Renumbered Div. 65.E.2 .....      | 2004 No. 345   |
| R. 65.250 .....                   | ad. 2002 No. 167                                       |
| <b>Division 65.E.3</b>            |  |
| Div. 3 of Subpart E of<br>Part 65 |  |
| Renumbered Div. 65.E.3 .....      | 2004 No. 345   |
| R. 65.255 .....                   | ad. 2002 No. 167                                       |
| Heading to r. 65.260 .....        | rs. 2003 No. 75  |
| R. 65.260 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75                    |
| R. 65.265 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75                    |
| R. 65.270 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75                    |
| R. 65.275 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75                    |
| R. 65.280 .....                   | ad. 2002 No. 167                                       |
| <b>Part 66</b>                    |  |
| Part 66 .....                     | ad. 2000 No. 204<br>rs. 2010 No. 328                   |
| <b>Subpart 66.A</b>               |  |
| R. 66.005 .....                   | ad. 2010 No. 328                                       |
| R. 66.010 .....                   | ad. 2010 No. 328                                       |
| R. 66.015 .....                   | ad. 2010 No. 328                                       |
| <b>Subpart 66.B</b>               |  |
| R. 66.020 .....                   | ad. 2010 No. 328                                       |
| R. 66.025 .....                   | ad. 2010 No. 328                                       |
| R. 66.030 .....                   | ad. 2010 No. 328                                       |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b> |
|---------------------------|---------------------|
| R. 66.035 .....           | ad. 2010 No. 328    |
| R. 66.040 .....           | ad. 2010 No. 328    |
| R. 66.045 .....           | ad. 2010 No. 328    |
| R. 66.050 .....           | ad. 2010 No. 328    |
| R. 66.055 .....           | ad. 2010 No. 328    |
| R. 66.060 .....           | ad. 2010 No. 328    |
| R. 66.065 .....           | ad. 2010 No. 328    |
| R. 66.070 .....           | ad. 2010 No. 328    |
| <b>Subpart 66.C</b>       |                     |
| R. 66.075 .....           | ad. 2010 No. 328    |
| R. 66.080 .....           | ad. 2010 No. 328    |
| R. 66.085 .....           | ad. 2010 No. 328    |
| R. 66.090 .....           | ad. 2010 No. 328    |
| R. 66.095 .....           | ad. 2010 No. 328    |
| R. 66.100 .....           | ad. 2010 No. 328    |
| R. 66.105 .....           | ad. 2010 No. 328    |
| R. 66.110 .....           | ad. 2010 No. 328    |
| <b>Subpart 66.D</b>       |                     |
| R. 66.115 .....           | ad. 2010 No. 328    |
| R. 66.120 .....           | ad. 2010 No. 328    |
| R. 66.125 .....           | ad. 2010 No. 328    |
| R. 66.130 .....           | ad. 2010 No. 328    |
| R. 66.135 .....           | ad. 2010 No. 328    |
| R. 66.140 .....           | ad. 2010 No. 328    |
| <b>Subpart 66.E</b>       |                     |
| <b>Division 66.E.1</b>    |                     |
| R. 66.145 .....           | ad. 2010 No. 328    |
| R. 66.150 .....           | ad. 2010 No. 328    |
| <b>Division 66.E.2</b>    |                     |
| R. 66.155 .....           | ad. 2010 No. 328    |
| R. 66.160 .....           | ad. 2010 No. 328    |
| <b>Division 66.E.3</b>    |                     |
| R. 66.165 .....           | ad. 2010 No. 328    |
| <b>Division 66.E.4</b>    |                     |
| R. 66.170 .....           | ad. 2010 No. 328    |
| <b>Subpart 66.F</b>       |                     |
| R. 66.175 .....           | ad. 2010 No. 328    |
| R. 66.180 .....           | ad. 2010 No. 328    |
| R. 66.185 .....           | ad. 2010 No. 328    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>  |
|-------------------------------|--|
| <b>Part 67</b>                |  |
| Part 67 .....                 | ad. 2000 No. 204<br>rs. 2003 No. 232                       |
| <b>Subpart 67.A</b>           |  |
| R. 67.005 .....               | ad. 2003 No. 232   |
| R. 67.010 .....               | ad. 2003 No. 232<br>am. 2005 No. 207; 2011 No. 120         |
| R. 67.015 .....               | ad. 2003 No. 232   |
| R. 67.020 .....               | ad. 2003 No. 232   |
| <b>Subpart 67.B</b>           |  |
| R. 67.025 .....               | ad. 2003 No. 232<br>am. 2005 No. 207; 2011 Nos. 77 and 120 |
| Note to r. 67.025 (1) .....   | ad. 2011 No. 77  |
| R. 67.030 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| R. 67.035 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| R. 67.040 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| R. 67.045 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| Note to r. 67.045 (1) .....   | rep. 2011 No. 77   |
| Note 1 to r. 67.045 (1) ..... | ad. 2011 No. 77  |
| Note 2 to r. 67.045 (1) ..... | ad. 2011 No. 77  |
| R. 67.050 .....               | ad. 2003 No. 232<br>rep. 2011 No. 77                       |
| R. 67.055 .....               | ad. 2003 No. 232   |
| R. 67.060 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| R. 67.065 .....               | ad. 2003 No. 232<br>am. 2005 No. 207; 2011 Nos. 77 and 120 |
| R. 67.070 .....               | ad. 2003 No. 232<br>rep. 2011 No. 77                       |
| R. 67.075 .....               | ad. 2003 No. 232<br>am. 2005 No. 207; 2011 No. 120         |
| R. 67.080 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |
| R. 67.085 .....               | ad. 2003 No. 232<br>rep. 2011 No. 77                       |
| R. 67.090 .....               | ad. 2003 No. 232   |
| R. 67.095 .....               | ad. 2003 No. 232<br>am. 2011 No. 77                        |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                               |
|----------------------------|---|
| R. 67.100 .....            | ad. 2003 No. 232                                  |
| R. 67.105 .....            | ad. 2003 No. 232                                  |
| R. 67.110 .....            | ad. 2003 No. 232                                  |
| R. 67.115 .....            | ad. 2003 No. 232<br>rep. 2011 No. 77              |
| Heading to r. 67.120 ..... | rs. 2004 No. 345                                  |
| R. 67.120 .....            | ad. 2003 No. 232                                  |
| R. 67.125 .....            | ad. 2003 No. 232                                  |
| R. 67.130 .....            | ad. 2003 No. 232<br>am. 2011 No. 77               |
| R. 67.135 .....            | ad. 2003 No. 232<br>rep. 2011 No. 77              |
| R. 67.140 .....            | ad. 2003 No. 232                                  |
| R. 67.141 .....            | ad. 2003 No. 232<br>rep. 2004 No. 345             |
| <b>Subpart 67.C</b>        |   |
| R. 67.145 .....            | ad. 2003 No. 232                                  |
| R. 67.150 .....            | ad. 2003 No. 232<br>am. 2004 No. 345              |
| R. 67.155 .....            | ad. 2003 No. 232<br>am. 2004 No. 345              |
| R. 67.160 .....            | ad. 2003 No. 232<br>am. 2004 No. 345              |
| R. 67.165 .....            | ad. 2003 No. 232                                  |
| R. 67.170 .....            | ad. 2003 No. 232                                  |
| R. 67.175 .....            | ad. 2003 No. 232                                  |
| Note 1 to r. 67.175 .....  | ad. 2011 No. 77                                   |
| Note 2 to r. 67.175 .....  | ad. 2011 No. 77                                   |
| R. 67.180 .....            | ad. 2003 No. 232<br>am. 2004 No. 345; 2011 No. 77 |
| R. 67.185 .....            | ad. 2003 No. 232<br>am. 2011 No. 77               |
| R. 67.190 .....            | ad. 2003 No. 232                                  |
| R. 67.195 .....            | ad. 2003 No. 232<br>am. 2011 No. 77               |
| R. 67.200 .....            | ad. 2003 No. 232<br>am. 2011 No. 77               |
| R. 67.205 .....            | ad. 2003 No. 232                                  |
| R. 67.210 .....            | ad. 2003 No. 232                                  |
| R. 67.215 .....            | ad. 2003 No. 232                                  |
| R. 67.220 .....            | ad. 2003 No. 232                                  |



**Table of Amendments**

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| <b>Provision affected</b> | <b>How affected</b>                  |
|---------------------------|--------------------------------------|
| R. 67.225 .....           | ad. 2003 No. 232                     |
| R. 67.230 .....           | ad. 2003 No. 232                     |
| R. 67.235 .....           | ad. 2003 No. 232                     |
| R. 67.240 .....           | ad. 2003 No. 232                     |
| R. 67.245 .....           | ad. 2003 No. 232                     |
| R. 67.250 .....           | ad. 2003 No. 232                     |
| R. 67.255 .....           | ad. 2003 No. 232                     |
| R. 67.260 .....           | ad. 2003 No. 232                     |
| <b>Subpart 67.D</b>       |                                      |
| R. 67.265 .....           | ad. 2003 No. 232                     |
| R. 67.270 .....           | ad. 2003 No. 232                     |
| R. 67.275 .....           | ad. 2003 No. 232                     |
| <b>Part 71</b>            |                                      |
| Part 71 .....             | ad. 2000 No. 204                     |
| <b>Part 90</b>            |                                      |
| Part 90 .....             | ad. 2000 No. 204<br>rs. 2010 No. 277 |
| <b>Subpart 90.A</b>       |                                      |
| R. 90.005 .....           | ad. 2010 No. 277                     |
| R. 90.008 .....           | ad. 2010 No. 277                     |
| R. 90.010 .....           | ad. 2010 No. 277                     |
| R. 90.015 .....           | ad. 2010 No. 277                     |
| R. 90.020 .....           | ad. 2010 No. 277<br>am. 2010 No. 277 |
| <b>Subpart 90.B</b>       |                                      |
| R. 90.100 .....           | ad. 2010 No. 277                     |
| R. 90.105 .....           | ad. 2010 No. 277                     |
| R. 90.110 .....           | ad. 2010 No. 277                     |
| R. 90.115 .....           | ad. 2010 No. 277                     |
| R. 90.120 .....           | ad. 2010 No. 277                     |
| R. 90.125 .....           | ad. 2010 No. 277                     |
| R. 90.130 .....           | ad. 2010 No. 277                     |
| R. 90.135 .....           | ad. 2010 No. 277                     |
| R. 90.140 .....           | ad. 2010 No. 277                     |
| R. 90.145 .....           | ad. 2010 No. 277                     |
| <b>Subpart 90.C</b>       |                                      |
| <b>Division 90.C.1</b>    |                                      |
| R. 90.200 .....           | ad. 2010 No. 277                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                  |
|-----------------------------|--------------------------------------|
| <b>Division 90.C.2</b>      |                                      |
| R. 90.205 .....             | ad. 2010 No. 277                     |
| R. 90.210 .....             | ad. 2010 No. 277                     |
| R. 90.215 .....             | ad. 2010 No. 277                     |
| R. 90.220 .....             | ad. 2010 No. 277                     |
| R. 90.225 .....             | ad. 2010 No. 277                     |
| R. 90.230 .....             | ad. 2010 No. 277<br>am. 2010 No. 277 |
| Note to r. 90.230 (1) ..... | rep. 2010 No. 277                    |
| R. 90.235 .....             | ad. 2010 No. 277                     |
| R. 90.240 .....             | ad. 2010 No. 277                     |
| R. 90.245 .....             | ad. 2010 No. 277                     |
| <b>Division 90.C.3</b>      |                                      |
| R. 90.250 .....             | ad. 2010 No. 277                     |
| R. 90.255 .....             | ad. 2010 No. 277                     |
| R. 90.260 .....             | ad. 2010 No. 277                     |
| R. 90.265 .....             | ad. 2010 No. 277                     |
| R. 90.270 .....             | ad. 2010 No. 277<br>am. 2010 No. 277 |
| Note to r. 90.270 (3) ..... | rep. 2010 No. 277                    |
| R. 90.275 .....             | ad. 2010 No. 277                     |
| <b>Division 90.C.4</b>      |                                      |
| R. 90.280 .....             | ad. 2010 No. 277                     |
| R. 90.285 .....             | ad. 2010 No. 277                     |
| Note to r. 90.285 .....     | rep. 2010 No. 277                    |
| R. 90.290 .....             | ad. 2010 No. 277                     |
| <b>Subpart 90.D</b>         |                                      |
| R. 90.400 .....             | ad. 2010 No. 277                     |
| R. 90.405 .....             | ad. 2010 No. 277                     |
| R. 90.410 .....             | ad. 2010 No. 277                     |
| Note to r. 90.410 .....     | rep. 2010 No. 277                    |
| R. 90.415 .....             | ad. 2010 No. 277                     |
| <b>Subpart 90.E</b>         |                                      |
| R. 90.600 .....             | ad. 2010 No. 277                     |
| R. 90.605 .....             | ad. 2010 No. 277                     |
| <b>Part 91</b>              |                                      |
| Part 91 .....               | ad. 2000 No. 204<br>rs. 2005 No. 323 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b> |
|---------------------------|---------------------|
| <b>Subpart 91.A</b>       |                     |
| R. 91.005 .....           | ad. 2005 No. 323    |
| <b>Subpart 91.D</b>       |                     |
| R. 91.830 .....           | ad. 2005 No. 323    |
| R. 91.850 .....           | ad. 2005 No. 323    |
| R. 91.865 .....           | ad. 2005 No. 323    |
| R. 91.870 .....           | ad. 2005 No. 323    |
| R. 91.875 .....           | ad. 2005 No. 323    |
| R. 91.880 .....           | ad. 2005 No. 323    |
| R. 91.885 .....           | ad. 2005 No. 323    |
| R. 91.890 .....           | ad. 2005 No. 323    |
| <b>Subpart 91.U</b>       |                     |
| <b>Division 91.U.1</b>    |                     |
| R. 91.5000 .....          | ad. 2005 No. 323    |
| R. 91.5005 .....          | ad. 2005 No. 323    |
| R. 91.5010 .....          | ad. 2005 No. 323    |
| R. 91.5015 .....          | ad. 2005 No. 323    |
| R. 91.5020 .....          | ad. 2005 No. 323    |
| R. 91.5025 .....          | ad. 2005 No. 323    |
| R. 91.5030 .....          | ad. 2005 No. 323    |
| <b>Division 91.U.4</b>    |                     |
| R. 91.5150 .....          | ad. 2005 No. 323    |
| R. 91.5155 .....          | ad. 2005 No. 323    |
| R. 91.5160 .....          | ad. 2005 No. 323    |
| R. 91.5165 .....          | ad. 2005 No. 323    |
| R. 91.5170 .....          | ad. 2005 No. 323    |
| <b>Part 92</b>            |                     |
| Part 92 .....             | ad. 2003 No. 365    |
| <b>Subpart 92.A</b>       |                     |
| R. 92.005 .....           | ad. 2003 No. 365    |
| R. 92.010 .....           | ad. 2003 No. 365    |
| R. 92.015 .....           | ad. 2003 No. 365    |
| <b>Subpart 92.B</b>       |                     |
| R. 92.020 .....           | ad. 2003 No. 365    |
| R. 92.025 .....           | ad. 2003 No. 365    |
| R. 92.030 .....           | ad. 2003 No. 365    |
| R. 92.035 .....           | ad. 2003 No. 365    |
| R. 92.040 .....           | ad. 2003 No. 365    |
| R. 92.045 .....           | ad. 2003 No. 365    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>    | <b>How affected</b>                               |
|------------------------------|---|
| R. 92.050 .....              | ad. 2003 No. 365                                  |
| R. 92.055 .....              | ad. 2003 No. 365                                  |
| R. 92.060 .....              | ad. 2003 No. 365<br>rep. 2011 No. 77              |
| R. 92.065 .....              | ad. 2003 No. 365                                  |
| R. 92.070 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.075 .....              | ad. 2003 No. 365                                  |
| R. 92.080 .....              | ad. 2003 No. 365<br>rep. 2011 No. 77              |
| <b>Subpart 92.C</b>          |   |
| R. 92.085 .....              | ad. 2003 No. 365<br>am. 2003 No. 365              |
| R. 92.090 .....              | ad. 2003 No. 365                                  |
| R. 92.095 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.100 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.105 .....              | ad. 2003 No. 365<br>am. 2011 Nos. 77 and 164      |
| R. 92.110 .....              | ad. 2003 No. 365                                  |
| R. 92.115 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| Note 1 to r. 92.115 (4)..... | am. 2003 No. 365                                  |
| Note 2 to r. 92.115 (4)..... | rep. 2003 No. 365                                 |
| R. 92.120 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.125 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.130 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.135 .....              | ad. 2003 No. 365                                  |
| R. 92.140 .....              | ad. 2003 No. 365<br>am. 2011 No. 77               |
| R. 92.145 .....              | ad. 2003 No. 365<br>am. 2003 No. 365; 2011 No. 77 |
| Heading to r. 92.150 .....   | rs. 2004 No. 345                                  |
| R. 92.150 .....              | ad. 2003 No. 365<br>am. 2003 No. 365              |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                                      |
|-----------------------------|--|
| R. 92.155 .....             | ad. 2003 No. 365<br>am. 2003 No. 365<br>rep. 2011 No. 77 |
| <b>Subpart 92.D</b>         |  |
| R. 92.160 .....             | ad. 2003 No. 365   |
| R. 92.165 .....             | ad. 2003 No. 365   |
| R. 92.170 .....             | ad. 2003 No. 365<br>am. 2004 No. 345                     |
| R. 92.175 .....             | ad. 2003 No. 365   |
| R. 92.180 .....             | ad. 2003 No. 365   |
| R. 92.185 .....             | ad. 2003 No. 365   |
| R. 92.190 .....             | ad. 2003 No. 365   |
| R. 92.195 .....             | ad. 2003 No. 365<br>am. 2004 No. 222<br>rs. 2008 No. 274 |
| <b>Subpart 92.E</b>         |  |
| Subpart 92.E .....          | ad. 2003 No. 365   |
| R. 92.200 .....             | ad. 2003 No. 365   |
| R. 92.205 .....             | ad. 2003 No. 365   |
| <b>Part 99</b>              |  |
| Part 99 .....               | ad. 2008 No. 192   |
| R. 99.005 .....             | ad. 2008 No. 192   |
| <b>Subpart 99.A</b>         |  |
| R. 99.010 .....             | ad. 2008 No. 192<br>am. 2008 No. 275                     |
| R. 99.015 .....             | ad. 2008 No. 192<br>am. 2011 No. 164                     |
| R. 99.020 .....             | ad. 2008 No. 192   |
| <b>Subpart 99.B</b>         |  |
| <b>Division 99.B.1</b>      |  |
| R. 99.025 .....             | ad. 2008 No. 192   |
| <b>Division 99.B.2</b>      |  |
| R. 99.030 .....             | ad. 2008 No. 192<br>am. 2011 No. 164                     |
| R. 99.035 .....             | ad. 2008 No. 192   |
| R. 99.040 .....             | ad. 2008 No. 192   |
| <b>Division 99.B.3</b>      |  |
| <b>Subdivision 99.B.3.1</b> |  |
| R. 99.045 .....             | ad. 2008 No. 192   |
| <b>Subdivision 99.B.3.2</b> |  |
| R. 99.050 .....             | ad. 2008 No. 192   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| R. 99.055 .....             | ad. 2008 No. 192    |
| R. 99.060 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.B.3.3</b> |                     |
| R. 99.065 .....             | ad. 2008 No. 192    |
| R. 99.070 .....             | ad. 2008 No. 192    |
| R. 99.075 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.B.3.4</b> |                     |
| R. 99.080 .....             | ad. 2008 No. 192    |
| <b>Division 99.B.4</b>      |                     |
| R. 99.085 .....             | ad. 2008 No. 192    |
| R. 99.090 .....             | ad. 2008 No. 192    |
| R. 99.095 .....             | ad. 2008 No. 192    |
| <b>Division 99.B.5</b>      |                     |
| R. 99.100 .....             | ad. 2008 No. 192    |
| R. 99.105 .....             | ad. 2008 No. 192    |
| <b>Subpart 99.C</b>         |                     |
| <b>Division 99.C.1</b>      |                     |
| R. 99.110 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.1.1</b> |                     |
| R. 99.115 .....             | ad. 2008 No. 192    |
| R. 99.120 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.1.2</b> |                     |
| R. 99.125 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.1.3</b> |                     |
| R. 99.130 .....             | ad. 2008 No. 192    |
| <b>Division 99.C.2</b>      |                     |
| <b>Subdivision 99.C.2.1</b> |                     |
| R. 99.135 .....             | ad. 2008 No. 192    |
| R. 99.140 .....             | ad. 2008 No. 192    |
| R. 99.145 .....             | ad. 2008 No. 192    |
| R. 99.150 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.2.2</b> |                     |
| R. 99.155 .....             | ad. 2008 No. 192    |
| R. 99.160 .....             | ad. 2008 No. 192    |
| R. 99.165 .....             | ad. 2008 No. 192    |
| R. 99.170 .....             | ad. 2008 No. 192    |
| R. 99.175 .....             | ad. 2008 No. 192    |
| R. 99.180 .....             | ad. 2008 No. 192    |
| R. 99.185 .....             | ad. 2008 No. 192    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b> |
|-----------------------------|---------------------|
| <b>Subdivision 99.C.2.3</b> |                     |
| R. 99.190 .....             | ad. 2008 No. 192    |
| R. 99.195 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.2.4</b> |                     |
| R. 99.200 .....             | ad. 2008 No. 192    |
| R. 99.205 .....             | ad. 2008 No. 192    |
| R. 99.210 .....             | ad. 2008 No. 192    |
| R. 99.215 .....             | ad. 2008 No. 192    |
| R. 99.220 .....             | ad. 2008 No. 192    |
| R. 99.225 .....             | ad. 2008 No. 192    |
| R. 99.230 .....             | ad. 2008 No. 192    |
| <b>Subdivision 99.C.2.5</b> |                     |
| R. 99.235 .....             | ad. 2008 No. 192    |
| <b>Division 99.C.3</b>      |                     |
| R. 99.240 .....             | ad. 2008 No. 192    |
| R. 99.245 .....             | ad. 2008 No. 192    |
| R. 99.250 .....             | ad. 2008 No. 192    |
| R. 99.255 .....             | ad. 2008 No. 192    |
| R. 99.260 .....             | ad. 2008 No. 192    |
| R. 99.265 .....             | ad. 2008 No. 192    |
| R. 99.270 .....             | ad. 2008 No. 192    |
| <b>Subpart 99.D</b>         |                     |
| <b>Division 99.D.1</b>      |                     |
| R. 99.275 .....             | ad. 2008 No. 192    |
| <b>Division 99.D.2</b>      |                     |
| R. 99.280 .....             | ad. 2008 No. 192    |
| R. 99.285 .....             | ad. 2008 No. 192    |
| R. 99.290 .....             | ad. 2008 No. 192    |
| R. 99.295 .....             | ad. 2008 No. 192    |
| R. 99.300 .....             | ad. 2008 No. 192    |
| R. 99.305 .....             | ad. 2008 No. 192    |
| R. 99.310 .....             | ad. 2008 No. 192    |
| <b>Division 99.D.3</b>      |                     |
| R. 99.315 .....             | ad. 2008 No. 192    |
| <b>Subpart 99.E</b>         |                     |
| <b>Division 99.E.1</b>      |                     |
| R. 99.320 .....             | ad. 2008 No. 192    |

**Table of Amendments**

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| <b>Provision affected</b>   | <b>How affected</b>                  |
|-----------------------------|--------------------------------------|
| <b>Division 99.E.2</b>      |                                      |
| <b>Subdivision 99.E.2.1</b> |                                      |
| R. 99.325 .....             | ad. 2008 No. 192                     |
| R. 99.330 .....             | ad. 2008 No. 192                     |
| R. 99.335 .....             | ad. 2008 No. 192                     |
| R. 99.340 .....             | ad. 2008 No. 192                     |
| R. 99.345 .....             | ad. 2008 No. 192                     |
| R. 99.350 .....             | ad. 2008 No. 192                     |
| <b>Subdivision 99.E.2.2</b> |                                      |
| R. 99.355 .....             | ad. 2008 No. 192                     |
| R. 99.360 .....             | ad. 2008 No. 192                     |
| R. 99.365 .....             | ad. 2008 No. 192                     |
| R. 99.370 .....             | ad. 2008 No. 192                     |
| R. 99.375 .....             | ad. 2008 No. 192                     |
| <b>Subdivision 99.E.2.3</b> |                                      |
| R. 99.380 .....             | ad. 2008 No. 192                     |
| R. 99.385 .....             | ad. 2008 No. 192                     |
| <b>Division 99.E.3</b>      |                                      |
| R. 99.390 .....             | ad. 2008 No. 192                     |
| <b>Subpart 99.F</b>         |                                      |
| <b>Division 99.F.1</b>      |                                      |
| R. 99.395 .....             | ad. 2008 No. 192                     |
| <b>Division 99.F.2</b>      |                                      |
| R. 99.400 .....             | ad. 2008 No. 192<br>am. 2010 No. 120 |
| R. 99.405 .....             | ad. 2008 No. 192<br>am. 2010 No. 120 |
| <b>Subpart 99.G</b>         |                                      |
| <b>Division 99.G.1</b>      |                                      |
| R. 99.410 .....             | ad. 2008 No. 192                     |
| R. 99.415 .....             | ad. 2008 No. 192<br>am. 2010 No. 120 |
| R. 99.420 .....             | ad. 2008 No. 192                     |
| R. 99.425 .....             | ad. 2008 No. 192                     |
| R. 99.430 .....             | ad. 2008 No. 192                     |
| R. 99.435 .....             | ad. 2008 No. 192                     |
| <b>Subpart 99.H</b>         |                                      |
| <b>Division 99.H.1</b>      |                                      |
| R. 99.440 .....             | ad. 2008 No. 192                     |



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| <b>Provision affected</b>                | <b>How affected</b>                   |
|--|---------------------------------------|
| <b>Division 99.H.2</b>                   |                                       |
| R. 99.445 .....                          | ad. 2008 No. 192<br>am. 2011 No. 77   |
| Note 1 to r. 99.445 (3).....             | ad. 2011 No. 77                       |
| Note 2 to r. 99.445 (3).....             | ad. 2011 No. 77                       |
| R. 99.450 .....                          | ad. 2008 No. 192<br>am. 2008 No. 275  |
| <b>Division 99.H.3</b>                   |                                       |
| R. 99.455 .....                          | ad. 2008 No. 192                      |
| R. 99.460 .....                          | ad. 2008 No. 192                      |
| <b>Division 99.H.4</b>                   |                                       |
| R. 99.465 .....                          | ad. 2008 No. 192                      |
| <b>Division 99.H.5</b>                   |                                       |
| R. 99.470 .....                          | ad. 2008 No. 192                      |
| R. 99.475 .....                          | ad. 2008 No. 192                      |
| R. 99.480 .....                          | ad. 2008 No. 192                      |
| R. 99.485 .....                          | ad. 2008 No. 192                      |
| R. 99.490 .....                          | ad. 2008 No. 192                      |
| <b>Division 99.H.6</b>                   |                                       |
| R. 99.495 .....                          | ad. 2008 No. 192                      |
| <b>Part 101</b>                          |                                       |
| Part 101 .....                           | ad. 2000 No. 204<br>rs. 2001 No. 349  |
| Table of Provisions to .....             | ad. 2004 No. 345                      |
| Part 101                                 |                                       |
| <b>Subpart 101.A</b>                     |                                       |
| Subpart A of Part 101<br>Renumbered..... | 2004 No. 345                          |
| Subpart 101.A                            |                                       |
| R. 101.000 .....                         | ad. 2001 No. 349<br>rep. 2004 No. 345 |
| R. 101.005 .....                         | ad. 2001 No. 349                      |
| R. 101.010 .....                         | ad. 2001 No. 349                      |
| R. 101.015 .....                         | ad. 2001 No. 349<br>am. 2004 No. 345  |
| R. 101.020 .....                         | ad. 2001 No. 349<br>rs. 2002 No. 266  |
| R. 101.025 .....                         | ad. 2001 No. 349                      |
| R. 101.030 .....                         | ad. 2001 No. 349                      |
| R. 101.035 .....                         | ad. 2001 No. 349                      |

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| <b>Provision affected</b>                | <b>How affected</b>                                      |
|--|--|
| R. 101.040 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349<br>rep. 2011 No. 77 |
| R. 101.045 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77                     |
| <b>Subpart 101.B</b>                     |  |
| Subpart B of Part 101<br>Renumbered..... | 2004 No. 345   |
| Subpart 101.B                            |  |
| R. 101.050 .....                         | ad. 2001 No. 349   |
| R. 101.055 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| <b>Subpart 101.C</b>                     |  |
| Subpart C of Part 101<br>Renumbered..... | 2004 No. 345   |
| Subpart 101.C                            |  |
| R. 101.060 .....                         | ad. 2001 No. 349   |
| R. 101.065 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| Note to r. 101.065 (1).....              | rs. 2007 No. 172   |
| R. 101.070 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.075 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.080 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.085 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.090 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.095 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| <b>Subpart 101.D</b>                     |  |
| Subpart D of Part 101<br>Renumbered..... | 2004 No. 345   |
| Subpart 101.D                            |  |
| R. 101.100 .....                         | ad. 2001 No. 349   |
| R. 101.105 .....                         | ad. 2001 No. 349   |
| R. 101.110 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |
| R. 101.115 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349                     |

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| <b>Provision affected</b>     | <b>How affected</b>  |
|-------------------------------|--|
| R. 101.120 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.125 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.130 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.135 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| <b>Subpart 101.E</b>          |  |
| Subpart E of Part 101         |  |
| Renumbered.....               | 2004 No. 345   |
| Subpart 101.E                 |  |
| R. 101.140 .....              | ad. 2001 No. 349   |
| R. 101.145 .....              | ad. 2001 No. 349   |
| R. 101.150 .....              | ad. 2001 No. 349   |
| R. 101.155 .....              | ad. 2001 No. 349<br>am. 2002 No. 349; 2011 Nos. 77 and 265 |
| Note 2 to r. 101.155 (5)..... | am. 2011 No. 265   |
| R. 101.160 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.165 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.170 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.175 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.180 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.185 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.190 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.195 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.200 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.205 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.210 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |
| R. 101.215 .....              | ad. 2001 No. 349<br>am. 2002 No. 349                       |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                               |
|--|---|
| R. 101.220 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.225 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.230 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| <b>Subpart 101.F</b>   |   |
| Subpart F of Part 101<br>Renumbered.....                           | 2004 No. 345                                      |
| Subpart 101.F  |   |
| <b>Division 101.F.1</b>  |   |
| Div. 1 of Subpart F of<br>Part 101<br>Renumbered Div. 101.F.1 .... | 2004 No. 345                                      |
| R. 101.235 .....   | ad. 2001 No. 349                                  |
| R. 101.240 .....   | ad. 2001 No. 349                                  |
| <b>Division 101.F.2</b>  |   |
| Div. 2 of Subpart F of<br>Part 101<br>Renumbered Div. 101.F.2 .... | 2004 No. 345                                      |
| R. 101.245 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.250 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.255 .....   | ad. 2001 No. 349<br>am. 2002 Nos. 349 and 350     |
| R. 101.260 .....   | ad. 2001 No. 349                                  |
| R. 101.265 .....   | ad. 2001 No. 349                                  |
| R. 101.270 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.275 .....   | ad. 2001 No. 349<br>am. 2002 No. 349; 2011 No. 77 |
| R. 101.280 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| R. 101.285 .....   | ad. 2001 No. 349<br>am. 2002 No. 349              |
| <b>Division 101.F.3</b>  |   |
| Div. 3 of Subpart F of<br>Part 101<br>Renumbered Div. 101.F.3 .... | 2004 No. 345                                      |
| Heading to Div. 101.F.3 .....                                      | rs. 2011 No. 77                                   |
| R. 101.290 .....   | ad. 2001 No. 349<br>am. 2011 No. 77               |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                  |
|--|--------------------------------------|
| R. 101.295 .....                         | ad. 2001 No. 349<br>am. 2011 No. 77  |
| Note to r. 101.295 (2).....              | ad. 2011 No. 77                      |
| R. 101.300 .....                         | ad. 2001 No. 349<br>am. 2011 No. 77  |
| R. 101.305 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |
| Note to r. 101.305 .....                 | am. 2002 No. 350<br>rep. 2011 No. 77 |
| R. 101.310 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |
| R. 101.315 .....                         | ad. 2001 No. 349                     |
| Note to r. 101.315 .....                 | am. 2002 No. 350                     |
| R. 101.320 .....                         | ad. 2001 No. 349                     |
| Note to r. 101.320 .....                 | am. 2002 No. 350                     |
| R. 101.325 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |
| <b>Division 101.F.4</b>                  |                                      |
| Div. 4 of Subpart F of<br>Part 101       |                                      |
| Renumbered Div. 101.F.4 ....             | 2004 No. 345                         |
| Heading to Div. 101.F.4 .....            | rs. 2011 No. 77                      |
| Note to heading to<br>Div. 101.F.4 ..... | ad. 2011 No. 77                      |
| R. 101.330 .....                         | ad. 2001 No. 349<br>am. 2011 No. 77  |
| R. 101.335 .....                         | ad. 2001 No. 349<br>am. 2011 No. 77  |
| R. 101.340 .....                         | ad. 2001 No. 349<br>am. 2011 No. 77  |
| R. 101.345 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |
| Note to r. 101.345 .....                 | am. 2002 No. 350<br>rep. 2011 No. 77 |
| R. 101.350 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |
| R. 101.355 .....                         | ad. 2001 No. 349                     |
| R. 101.360 .....                         | ad. 2001 No. 349                     |
| Note to r. 101.360 .....                 | am. 2002 No. 350                     |
| R. 101.365 .....                         | ad. 2001 No. 349                     |
| Note to r. 101.365 .....                 | am. 2002 No. 350                     |
| R. 101.370 .....                         | ad. 2001 No. 349<br>rep. 2011 No. 77 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                  |
|-----------------------------|--------------------------------------|
| <b>Subpart 101.G</b>        |                                      |
| Subpart G of Part 101       |                                      |
| Renumbered.....             | 2004 No. 345                         |
| Subpart 101.G               |                                      |
| R. 101.375 .....            | ad. 2001 No. 349                     |
| R. 101.380 .....            | ad. 2001 No. 349                     |
| R. 101.385 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.390 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.395 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.400 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.405 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.410 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| <b>Subpart 101.H</b>        |                                      |
| Subpart H of Part 101       |                                      |
| Renumbered.....             | 2004 No. 345                         |
| Subpart 101.H               |                                      |
| R. 101.415 .....            | ad. 2001 No. 349                     |
| R. 101.420 .....            | ad. 2001 No. 349                     |
| R. 101.425 .....            | ad. 2001 No. 349                     |
| R. 101.430 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| Note to r. 101.430 (1)..... | rs. 2007 No. 172                     |
| R. 101.435 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.440 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.445 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.450 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.455 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.460 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.465 .....            | ad. 2001 No. 349<br>am. 2002 No. 349 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                  |
|--|--------------------------------------|
| R. 101.470 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349 |
| <b>Subpart 101.I</b>                     |                                      |
| Subpart I of Part 101<br>Renumbered..... | 2004 No. 345                         |
| Subpart 101.I                            |                                      |
| R. 101.475 .....                         | ad. 2001 No. 349                     |
| R. 101.480 .....                         | ad. 2001 No. 349                     |
| R. 101.485 .....                         | ad. 2001 No. 349                     |
| R. 101.490 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.495 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349 |
| R. 101.500 .....                         | ad. 2001 No. 349<br>am. 2002 No. 349 |
| <b>Part 103</b>                          |                                      |
| Part 103 .....                           | ad. 2000 No. 204                     |
| <b>Part 105</b>                          |                                      |
| Part 105 .....                           | ad. 2000 No. 204                     |
| <b>Part 115</b>                          |                                      |
| Part 115 .....                           | ad. 2000 No. 204                     |
| <b>Part 119</b>                          |                                      |
| Part 119 .....                           | ad. 2000 No. 204                     |
| <b>Part 121</b>                          |                                      |
| Part 121 .....                           | ad. 2000 No. 204                     |
| <b>Part 129</b>                          |                                      |
| Part 129 .....                           | ad. 2000 No. 204                     |
| <b>Part 133</b>                          |                                      |
| Part 133 .....                           | ad. 2000 No. 204                     |
| <b>Part 137</b>                          |                                      |
| Part 137 .....                           | ad. 2000 No. 204<br>rs. 2007 No. 41  |
| <b>Subpart 137.A</b>                     |                                      |
| R. 137.005 .....                         | ad. 2007 No. 41                      |
| R. 137.010 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.B</b>                     |                                      |
| R. 137.015 .....                         | ad. 2007 No. 41                      |
| R. 137.020 .....                         | ad. 2007 No. 41                      |
| R. 137.025 .....                         | ad. 2007 No. 41                      |
| R. 137.030 .....                         | ad. 2007 No. 41                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>                |
|-------------------------------|------------------------------------|
| <b>Subpart 137.C</b>          |                                    |
| R. 137.035 .....              | ad. 2007 No. 41                    |
| R. 137.040 .....              | ad. 2007 No. 41                    |
| R. 137.045 .....              | ad. 2007 No. 41                    |
| Note 1 to r. 137.045 (5)..... | rep. 2011 No. 77                   |
| Note 2 to r. 137.045 (5)..... | rep. 2011 No. 77                   |
| Note to r. 137.045 (5).....   | ad. 2011 No. 77                    |
| R. 137.050 .....              | ad. 2007 No. 41<br>am. 2011 No. 77 |
| R. 137.055 .....              | ad. 2007 No. 41                    |
| R. 137.060 .....              | ad. 2007 No. 41                    |
| R. 137.065 .....              | ad. 2007 No. 41                    |
| R. 137.070 .....              | ad. 2007 No. 41                    |
| R. 137.075 .....              | ad. 2007 No. 41                    |
| R. 137.080 .....              | ad. 2007 No. 41                    |
| R. 137.085 .....              | ad. 2007 No. 41                    |
| R. 137.090 .....              | ad. 2007 No. 41                    |
| <b>Subpart 137.D</b>          |                                    |
| R. 137.095 .....              | ad. 2007 No. 41                    |
| R. 137.100 .....              | ad. 2007 No. 41                    |
| R. 137.105 .....              | ad. 2007 No. 41                    |
| R. 137.110 .....              | ad. 2007 No. 41                    |
| R. 137.115 .....              | ad. 2007 No. 41                    |
| R. 137.120 .....              | ad. 2007 No. 41                    |
| R. 137.125 .....              | ad. 2007 No. 41                    |
| R. 137.130 .....              | ad. 2007 No. 41                    |
| R. 137.135 .....              | ad. 2007 No. 41                    |
| R. 137.140 .....              | ad. 2007 No. 41                    |
| R. 137.145 .....              | ad. 2007 No. 41                    |
| R. 137.150 .....              | ad. 2007 No. 41                    |
| R. 137.155 .....              | ad. 2007 No. 41                    |
| R. 137.160 .....              | ad. 2007 No. 41                    |
| R. 137.165 .....              | ad. 2007 No. 41                    |
| R. 137.170 .....              | ad. 2007 No. 41                    |
| R. 137.175 .....              | ad. 2007 No. 41                    |
| <b>Subpart 137.E</b>          |                                    |
| Subpart 137.E.....            | ad. 2007 No. 41                    |
| <b>Subpart 137.H</b>          |                                    |
| R. 137.180 .....              | ad. 2007 No. 41                    |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                  |
|--|--------------------------------------|
| R. 137.185 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.J</b>                     |                                      |
| R. 137.190 .....                         | ad. 2007 No. 41                      |
| R. 137.195 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.K</b>                     |                                      |
| R. 137.200 .....                         | ad. 2007 No. 41                      |
| R. 137.210 .....                         | ad. 2007 No. 41                      |
| R. 137.215 .....                         | ad. 2007 No. 41                      |
| R. 137.220 .....                         | ad. 2007 No. 41                      |
| R. 137.225 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.M</b>                     |                                      |
| R. 137.230 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.N</b>                     |                                      |
| R. 137.235 .....                         | ad. 2007 No. 41                      |
| R. 137.240 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.P</b>                     |                                      |
| R. 137.245 .....                         | ad. 2007 No. 41                      |
| R. 137.250 .....                         | ad. 2007 No. 41                      |
| R. 137.255 .....                         | ad. 2007 No. 41                      |
| R. 137.260 .....                         | ad. 2007 No. 41                      |
| <b>Subpart 137.Q</b>                     |                                      |
| R. 137.265 .....                         | ad. 2007 No. 41                      |
| R. 137.270 .....                         | ad. 2007 No. 41                      |
| R. 137.275 .....                         | ad. 2007 No. 41                      |
| R. 137.280 .....                         | ad. 2007 No. 41                      |
| R. 137.285 .....                         | ad. 2007 No. 41                      |
| R. 137.290 .....                         | ad. 2007 No. 41                      |
| R. 137.295 .....                         | ad. 2007 No. 41                      |
| R. 137.300 .....                         | ad. 2007 No. 41                      |
| <b>Part 138</b>                          |                                      |
| Part 138 .....                           | ad. 2000 No. 204                     |
| <b>Part 139</b>                          |                                      |
| Heading to Part 139 .....                | rs. 2003 No. 58                      |
| Part 139 .....                           | ad. 2000 No. 204<br>rs. 2002 No. 167 |
| Table of Provisions to<br>Part 139 ..... | ad. 2004 No. 345                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b>   |
|---------------------------|---|
| <b>Subpart 139.A</b>      |   |
| Subpart 139.A.....        | rs. 2003 No. 58   |
| R. 139.000 .....          | ad. 2002 No. 167<br>rs. 2003 No. 58<br>am. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.005 .....          | ad. 2003 No. 58   |
| R. 139.010 .....          | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.015 .....          | ad. 2003 No. 58   |
| R. 139.020 .....          | ad. 2003 No. 58<br>rep. 2011 No. 77   |
| R. 139.025 .....          | ad. 2003 No. 58   |
| R. 139.030 .....          | ad. 2003 No. 58<br>rs. 2011 No. 265   |
| R. 139.035 .....          | ad. 2003 No. 58   |
| R. 139.036 .....          | ad. 2003 No. 58<br>rep. 2004 No. 345  |
| <b>Subpart 139.B</b>      |   |
| Subpart 139.B.....        | ad. 2003 No. 58   |
| <b>Division 139.B.1</b>   |   |
| R. 139.040 .....          | ad. 2003 No. 58   |
| Note to r. 139.040 .....  | rs. 2011 No. 265  |
| R. 139.045 .....          | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.050 .....          | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.055 .....          | ad. 2003 No. 58<br>rep. 2011 No. 77   |
| R. 139.060 .....          | ad. 2003 No. 58<br>rep. 2011 No. 77   |
| R. 139.065 .....          | ad. 2003 No. 58<br>rep. 2011 No. 77   |
| R. 139.070 .....          | ad. 2003 No. 58   |
| R. 139.075 .....          | ad. 2003 No. 58<br>rep. 2011 No. 77   |
| R. 139.080 .....          | ad. 2003 No. 58   |
| R. 139.085 .....          | ad. 2003 No. 58<br>am. 2011 No. 77  |
| <b>Division 139.B.2</b>   |   |
| R. 139.090 .....          | ad. 2003 No. 58   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>                 |
|-------------------------------|-------------------------------------|
| R. 139.095 .....              | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.100 .....              | ad. 2003 No. 58                     |
| R. 139.105 .....              | ad. 2003 No. 58                     |
| R. 139.110 .....              | ad. 2003 No. 58                     |
| R. 139.115 .....              | ad. 2004 No. 58                     |
| <b>Division 139.B.3</b>       |                                     |
| R. 139.120 .....              | ad. 2003 No. 58                     |
| R. 139.125 .....              | ad. 2003 No. 58                     |
| R. 139.130 .....              | ad. 2003 No. 58                     |
| R. 139.135 .....              | ad. 2003 No. 58                     |
| R. 139.140 .....              | ad. 2003 No. 58                     |
| R. 139.145 .....              | ad. 2003 No. 58                     |
| R. 139.150 .....              | ad. 2003 No. 58                     |
| R. 139.155 .....              | ad. 2003 No. 58                     |
| R. 139.160 .....              | ad. 2003 No. 58                     |
| R. 139.165 .....              | ad. 2003 No. 58                     |
| R. 139.170 .....              | ad. 2003 No. 58                     |
| R. 139.175 .....              | ad. 2003 No. 58                     |
| R. 139.180 .....              | ad. 2003 No. 58                     |
| R. 139.185 .....              | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.190 .....              | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 139.195 .....              | ad. 2003 No. 58                     |
| R. 139.200 .....              | ad. 2003 No. 58                     |
| R. 139.205 .....              | ad. 2003 No. 58                     |
| R. 139.210 .....              | ad. 2003 No. 58                     |
| R. 139.215 .....              | ad. 2003 No. 58                     |
| R. 139.220 .....              | ad. 2003 No. 58                     |
| R. 139.225 .....              | ad. 2003 No. 58                     |
| R. 139.230 .....              | ad. 2003 No. 58                     |
| R. 139.235 .....              | ad. 2003 No. 58                     |
| R. 139.240 .....              | ad. 2003 No. 58                     |
| R. 139.245 .....              | ad. 2003 No. 58                     |
| R. 139.250 .....              | ad. 2003 No. 58                     |
| <b>Division 139.B.4</b>       |                                     |
| Div. 139.B.4 of Part 139..... | ad. 2011 No. 265                    |
| R. 139.251 .....              | ad. 2011 No. 265                    |
| R. 139.252 .....              | ad. 2011 No. 265                    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>                 |
|-------------------------------|-------------------------------------|
| R. 139.254 .....              | ad. 2011 No. 265                    |
| <b>Subpart 139.C</b>          |                                     |
| Subpart 139.C.....            | ad. 2003 No. 58                     |
| R. 139.255 .....              | ad. 2003 No. 58                     |
| R. 139.260 .....              | ad. 2003 No. 58<br>am. 2004 No. 345 |
| Note to r. 139.260 (1).....   | rs. 2011 No. 265                    |
| R. 139.265 .....              | ad. 2003 No. 58                     |
| R. 139.270 .....              | ad. 2003 No. 58                     |
| R. 139.275 .....              | ad. 2003 No. 58                     |
| R. 139.280 .....              | ad. 2003 No. 58                     |
| R. 139.285 .....              | ad. 2003 No. 58                     |
| R. 139.290 .....              | ad. 2003 No. 58                     |
| R. 139.295 .....              | ad. 2003 No. 58                     |
| R. 139.300 .....              | ad. 2003 No. 58                     |
| R. 139.305 .....              | ad. 2003 No. 58                     |
| R. 139.310 .....              | ad. 2003 No. 58                     |
| R. 139.315 .....              | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 139.320 .....              | ad. 2003 No. 58<br>am. 2011 No. 77  |
| Note 1 to r. 139.320 (1)..... | ad. 2011 No. 77                     |
| Note 2 to r. 139.320 (1)..... | ad. 2011 No. 77                     |
| Note to r. 139.320 (2).....   | ad. 2011 No. 77                     |
| R. 139.325 .....              | ad. 2003 No. 58                     |
| R. 139.330 .....              | ad. 2003 No. 58                     |
| <b>Subpart 139.D</b>          |                                     |
| Subpart 139.D.....            | ad. 2003 No. 58                     |
| R. 139.335 .....              | ad. 2003 No. 58                     |
| R. 139.340 .....              | ad. 2003 No. 58                     |
| R. 139.345 .....              | ad. 2003 No. 58<br>am. 2004 No. 345 |
| <b>Subpart 139.E</b>          |                                     |
| Subpart 139.E.....            | ad. 2003 No. 58                     |
| R. 139.350 .....              | ad. 2003 No. 58                     |
| R. 139.355 .....              | ad. 2003 No. 58                     |
| R. 139.360 .....              | ad. 2003 No. 58                     |
| R. 139.365 .....              | ad. 2003 No. 58                     |
| R. 139.370 .....              | ad. 2003 No. 58                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>      | <b>How affected</b>                 |
|--------------------------------|-------------------------------------|
| <b>Subpart 139.F</b>           |                                     |
| Subpart 139.F .....            | ad. 2003 No. 58                     |
| <b>Division 139.F.1</b>        |                                     |
| R. 139.375 .....               | ad. 2003 No. 58                     |
| <b>Division 139.F.2</b>        |                                     |
| R. 139.380 .....               | ad. 2003 No. 58                     |
| R. 139.385 .....               | ad. 2003 No. 58                     |
| <b>Division 139.F.3</b>        |                                     |
| R. 139.390 .....               | ad. 2003 No. 58                     |
| R. 139.395 .....               | ad. 2003 No. 58                     |
| R. 139.400 .....               | ad. 2003 No. 58                     |
| R. 139.405 .....               | ad. 2003 No. 58                     |
| R. 139.410 .....               | ad. 2003 No. 58                     |
| R. 139.415 .....               | ad. 2003 No. 58                     |
| R. 139.420 .....               | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.425 .....               | ad. 2003 No. 58                     |
| R. 139.430 .....               | ad. 2003 No. 58<br>am. 2011 No. 77  |
| R. 139.435 .....               | ad. 2003 No. 58                     |
| <b>Subpart 139.H</b>           |                                     |
| Subpart H of Part 139 .....    | ad. 2002 No. 167                    |
| Renumbered.....                | 2002 No. 167                        |
| Subpart 139.H                  |                                     |
| Heading to Subpart 139.H ..... | rs. 2011 No. 77                     |
| <b>Division 139.H.1</b>        |                                     |
| Heading to Div. 1 of .....     | rep. 2003 No. 75                    |
| Subpart H of Part 139          |                                     |
| Heading to Div. 1 of .....     | ad. 2003 No. 75                     |
| Subpart 139.H.1                |                                     |
| R. 139.700 .....               | ad. 2002 No. 167<br>am. 2003 No. 75 |
| Note to r. 139.700 (2).....    | ad. 2011 No. 77                     |
| R. 139.705 .....               | ad. 2002 No. 167<br>am. 2003 No. 75 |
| R. 139.710 .....               | ad. 2002 No. 167                    |
| R. 139.711 .....               | ad. 2003 No. 75<br>am. 2011 No. 77  |
| R. 139.712 .....               | ad. 2003 No. 75<br>am. 2004 No. 345 |
| Note to r. 139.712 (1).....    | rs. 2005 No. 323                    |

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

| <b>Provision affected</b>                          | <b>How affected</b>                  |
|--|--------------------------------------|
| R. 139.712A.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712B.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712C.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712D.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712E.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712F.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712G.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.712H.....                                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 139.715.....                                    | ad. 2002 No. 167                     |
| Div. 2 of Subpart H<br>of Part 139.....            | rep. 2003 No. 75                     |
| R. 139.720.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| R. 139.725.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| R. 139.730.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| R. 139.735.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| R. 139.740.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| R. 139.745.....                                    | ad. 2002 No. 167<br>rep. 2003 No. 75 |
| <b>Division 139.H.3</b>                            |                                      |
| Heading to Div. 3 of<br>Subpart H of Part 139..... | rep. 2003 No. 75                     |
| Heading to Div. 3 of<br>Subpart 139.H.....         | ad. 2003 No. 75                      |
| R. 139.750.....                                    | ad. 2002 No. 167                     |
| R. 139.755.....                                    | ad. 2002 No. 167<br>rs. 2003 No. 75  |
| R. 139.760.....                                    | ad. 2002 No. 167                     |
| R. 139.765.....                                    | ad. 2002 No. 167                     |
| R. 139.770.....                                    | ad. 2002 No. 167<br>am. 2003 No. 75  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                           | <b>How affected</b>                               |
|---|---|
| R. 139.771 .....                                    | ad. 2003 No. 75                                   |
| R. 139.772 .....                                    | ad. 2003 No. 75                                   |
| R. 139.773 .....                                    | ad. 2003 No. 75                                   |
| R. 139.775 .....                                    | ad. 2002 No. 167<br>am. 2003 No. 75               |
| R. 139.780 .....                                    | ad. 2002 No. 167                                  |
| R. 139.785 .....                                    | ad. 2002 No. 167                                  |
| R. 139.795 .....                                    | ad. 2002 No. 167                                  |
| R. 139.800 .....                                    | ad. 2002 No. 167                                  |
| R. 139.805 .....                                    | ad. 2002 No. 167                                  |
| R. 139.810 .....                                    | ad. 2002 No. 167                                  |
| R. 139.815 .....                                    | ad. 2002 No. 167                                  |
| R. 139.820 .....                                    | ad. 2002 No. 167                                  |
| R. 139.825 .....                                    | ad. 2002 No. 167                                  |
| R. 139.830 .....                                    | ad. 2002 No. 167                                  |
| R. 139.835 .....                                    | ad. 2002 No. 167                                  |
| R. 139.840 .....                                    | ad. 2002 No. 167                                  |
| R. 139.845 .....                                    | ad. 2002 No. 167                                  |
| R. 139.850 .....                                    | ad. 2002 No. 167                                  |
| R. 139.855 .....                                    | ad. 2002 No. 167                                  |
| R. 139.860 .....                                    | ad. 2002 No. 167                                  |
| R. 139.865 .....                                    | ad. 2002 No. 167                                  |
| R. 139.870 .....                                    | ad. 2002 No. 167                                  |
| R. 139.875 .....                                    | ad. 2002 No. 167                                  |
| R. 139.880 .....                                    | ad. 2002 No. 167                                  |
| R. 139.885 .....                                    | ad. 2002 No. 167                                  |
| R. 139.890 .....                                    | ad. 2002 No. 167                                  |
| R. 139.895 .....                                    | ad. 2002 No. 167                                  |
| R. 139.900 .....                                    | ad. 2002 No. 167                                  |
| R. 139.905 .....                                    | ad. 2002 No. 167                                  |
| R. 139.910 .....                                    | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77  |
| <b>Division 139.H.4</b>                             |   |
| Heading to Div. 4 of .....<br>Subpart H of Part 139 | rep. 2003 No. 75                                  |
| Heading to Div. 4 of .....<br>Subpart 139.H         | ad. 2003 No. 75                                   |
| R. 139.915 .....                                    | ad. 2002 No. 167<br>am. 2003 No. 75; 2004 No. 345 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                           | <b>How affected</b>  |
|---|--|
| <b>Division 139.H.5</b>                             |  |
| Heading to Div. 5 of .....<br>Subpart H of Part 139 | rep. 2003 No. 75   |
| Heading to Div. 5 of .....<br>Subpart 139.H         | ad. 2003 No. 75  |
| R. 139.920 .....                                    | ad. 2002 No. 167   |
| R. 139.925 .....                                    | ad. 2002 No. 167<br>am. 2003 No. 75; 2006 No. 185; 2011 No. 77 |
| Note to r. 139.925 (5).....                         | ad. 2011 No. 77  |
| R. 139.930 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.935 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.940 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.945 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.950 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.955 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.960 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.965 .....                                    | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77               |
| R. 139.970 .....                                    | ad. 2002 No. 167<br>am. 2011 No. 77                            |
| R. 139.975 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.980 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.985 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.990 .....                                    | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.995 .....                                    | ad. 2002 No. 167<br>am. 2011 No. 77                            |
| R. 139.1000 .....                                   | ad. 2002 No. 167<br>rep. 2011 No. 77                           |
| R. 139.1005 .....                                   | ad. 2002 No. 167   |
| Note to r. 139.1005 (1).....                        | am. 2004 No. 345   |
| R. 139.1010 .....                                   | ad. 2002 No. 167   |
| Note to r. 139.1010 .....                           | am. 2004 No. 345   |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                                 | <b>How affected</b>                                      |
|---|--|
| R. 139.1015 .....   | ad. 2002 No. 167   |
| R. 139.1020 .....   | ad. 2002 No. 167   |
| R. 139.1022 .....   | ad. 2003 No. 75  |
| R. 139.1025 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| <b>Part 141</b>   |  |
| Part 141 .....  | ad. 2000 No. 204   |
| <b>Part 142</b>   |  |
| Part 142 .....  | ad. 2000 No. 204   |
| <b>Part 143</b>   |  |
| Part 143 .....  | ad. 2000 No. 204<br>rs. 2002 No. 167                     |
| Table of Provisions to<br>Part 143 .....                  | ad. 2004 No. 345   |
| <b>Subpart 143.A</b>                                      |  |
| Subpart A of Part 143<br>Renumbered.....<br>Subpart 143.A | 2004 No. 345   |
| R. 143.000 .....  | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 143.005 .....  | ad. 2002 No. 167<br>rs. 2003 No. 75                      |
| R. 143.010 .....  | ad. 2002 No. 167<br>am. 2003 No. 75                      |
| R. 143.015 .....  | ad. 2002 No. 167   |
| R. 143.016 .....  | ad. 2003 No. 75  |
| R. 143.017 .....  | ad. 2003 No. 75<br>am. 2004 No. 345                      |
| Note to r. 143.017 (1).....                               | rs. 2005 No. 323   |
| R. 143.017A.....  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 143.017B.....  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 143.017C.....  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 143.017D.....  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 143.017E.....  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 143.017F .....   | ad. 2003 No. 75<br>rep. 2004 No. 345                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>          | <b>How affected</b>                  |
|------------------------------------|--------------------------------------|
| R. 143.017G .....                  | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 143.017H.....                   | ad. 2003 No. 75<br>rep. 2004 No. 345 |
| <b>Subpart 143.B</b>               |                                      |
| Subpart B of Part 143              |                                      |
| Renumbered.....                    | 2004 No. 345                         |
| Subpart 143.B                      |                                      |
| R. 143.020 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75  |
| R. 143.025 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75  |
| R. 143.027 .....                   | ad. 2003 No. 75<br>am. 2011 No. 77   |
| R. 143.030 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 143.035 .....                   | ad. 2002 No. 167                     |
| R. 143.040 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 143.045 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 143.050 .....                   | ad. 2002 No. 167<br>am. 2011 No. 77  |
| <b>Subpart 143.C</b>               |                                      |
| Subpart C of Part 143              |                                      |
| Renumbered.....                    | 2004 No. 345                         |
| Subpart 143.C                      |                                      |
| <b>Division 143.C.1</b>            |                                      |
| Div. 1 of Subpart C of<br>Part 143 |                                      |
| Renumbered Div. 143.C.1 ...        | 2004 No. 345                         |
| R. 143.055 .....                   | ad. 2002 No. 167                     |
| R. 143.060 .....                   | ad. 2002 No. 167                     |
| <b>Division 143.C.2</b>            |                                      |
| Div. 2 of Subpart C of<br>Part 143 |                                      |
| Renumbered Div. 143.C.2 ...        | 2004 No. 345                         |
| R. 143.065 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75  |
| R. 143.070 .....                   | ad. 2002 No. 167<br>am. 2003 No. 75  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                                       | <b>How affected</b>                  |
|---|--------------------------------------|
| <b>Division 143.C.3</b>   |                                      |
| Div. 3 of Subpart C of Part 143<br>Renumbered Div. 143.C.3...   | 2004 No. 345                         |
| R. 143.075 .....  | ad. 2002 No. 167                     |
| R. 143.080 .....  | ad. 2002 No. 167                     |
| R. 143.085 .....  | ad. 2002 No. 167                     |
| R. 143.090 .....  | ad. 2002 No. 167                     |
| <b>Subpart 143.D</b>  |                                      |
| Subpart D of Part 143<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 143.D   |                                      |
| R. 143.095 .....  | ad. 2002 No. 167                     |
| R. 143.100 .....  | ad. 2002 No. 167                     |
| Heading to r. 143.105 .....                                     | rs. 2003 No. 75                      |
| R. 143.105 .....  | ad. 2002 No. 167<br>am. 2003 No. 75  |
| <b>Subpart 143.E</b>  |                                      |
| Subpart E of Part 143<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 143.E   |                                      |
| R. 143.110 .....  | ad. 2002 No. 167<br>am. 2003 No. 75  |
| <b>Subpart 143.F</b>  |                                      |
| Subpart F of Part 143<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 143.F   |                                      |
| Heading to Subpart 143.F.....                                   | rs. 2011 No. 77                      |
| Note to heading to .....<br>Subpart 143.F                       | rs. 2011 No. 77                      |
| <b>Division 143.F.1</b>   |                                      |
| Div. 1 of Subpart F of Part 143<br>Renumbered Div. 143.F.1 .... | 2004 No. 345                         |
| R. 143.115 .....  | ad. 2002 No. 167                     |
| <b>Division 143.F.2</b>   |                                      |
| Div. 2 of Subpart F of Part 143<br>Renumbered Div. 143.F.2 .... | 2004 No. 345                         |
| R. 143.118 .....  | ad. 2011 No. 77                      |
| R. 143.120 .....  | ad. 2002 No. 167                     |
| R. 143.125 .....  | ad. 2002 No. 167<br>rep. 2011 No. 77 |

**Table of Amendments**

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| <b>Provision affected</b>  | <b>How affected</b>                                      |
|--|--|
| R. 143.130 .....   | ad. 2002 No. 167<br>am. 2003 No. 75<br>rs. 2011 No. 77   |
| R. 143.135 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.140 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.145 .....   | ad. 2002 No. 167<br>rs. 2011 No. 77                      |
| R. 143.150 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.155 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.160 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.165 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.170 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.175 .....   | ad. 2002 No. 167<br>rs. 2011 No. 77                      |
| R. 143.180 .....   | ad. 2002 No. 167<br>am. 2011 No. 77                      |
| R. 143.185 .....   | ad. 2002 No. 167   |
| R. 143.190 .....   | ad. 2002 No. 167   |
| R. 143.192 .....   | ad. 2003 No. 75  |
| Relocated and renumbered<br>r. 143.245 .....                       | 2011 No. 77  |
| R. 143.195 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| Division 143.F.3 .....   | rep. 2011 No. 77   |
| Div. 3 of Subpart F of<br>Part 143<br>Renumbered Div. 143.F.3 .... | 2004 No. 345   |
| R. 143.200 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 143.205 .....   | ad. 2002 No. 167<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 143.210 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                  |
|--|--------------------------------------|
| <b>Division 143.F.4</b>  |                                      |
| Div. 4 of Subpart F of<br>Part 143<br>Renumbered Div. 143.F.4 .... | 2004 No. 345                         |
| R. 143.215 .....   | ad. 2002 No. 167                     |
| R. 143.220 .....   | ad. 2002 No. 167                     |
| R. 143.225 .....   | ad. 2002 No. 167                     |
| Note to r. 143.225 .....   | am. 2004 No. 345                     |
| R. 143.230 .....   | ad. 2002 No. 167                     |
| R. 143.235 .....   | ad. 2002 No. 167<br>am. 2011 No. 77  |
| R. 143.240 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 143.245<br>(formerly r. 143.192).....                           | 2011 No. 77                          |
| <b>Part 144</b>  |                                      |
| Part 144 .....   | ad. 2000 No. 204                     |
| <b>Part 145</b>  |                                      |
| Part 145 .....   | ad. 2000 No. 204<br>rs. 2010 No. 328 |
| <b>Subpart 145.A</b>   |                                      |
| R. 145.005 .....   | ad. 2010 No. 328                     |
| R. 145.010 .....   | ad. 2010 No. 328                     |
| R. 145.015 .....   | ad. 2010 No. 328                     |
| R. 145.020 .....   | ad. 2010 No. 328                     |
| <b>Subpart 145.B</b>   |                                      |
| R. 145.025 .....   | ad. 2010 No. 328                     |
| R. 145.030 .....   | ad. 2010 No. 328                     |
| R. 145.035 .....   | ad. 2010 No. 328                     |
| R. 145.040 .....   | ad. 2010 No. 328                     |
| R. 145.045 .....   | ad. 2010 No. 328                     |
| <b>Subpart 145.C</b>   |                                      |
| R. 145.050 .....   | ad. 2010 No. 328                     |
| R. 145.055 .....   | ad. 2010 No. 328                     |
| R. 145.060 .....   | ad. 2010 No. 328                     |
| R. 145.065 .....   | ad. 2010 No. 328                     |
| <b>Subpart 145.D</b>   |                                      |
| R. 145.070 .....   | ad. 2010 No. 328                     |
| R. 145.075 .....   | ad. 2010 No. 328                     |
| R. 145.080 .....   | ad. 2010 No. 328                     |

**Table of Amendments**

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| <b>Provision affected</b>                | <b>How affected</b>                   |
|--|---------------------------------------|
| R. 145.085 .....                         | ad. 2010 No. 328                      |
| Part 146 .....                           | ad. 2000 No. 204<br>rep. 2010 No. 328 |
| <b>Part 147</b>                          |                                       |
| Part 147 .....                           | ad. 2000 No. 204<br>rs. 2010 No. 328  |
| <b>Subpart 147.A</b>                     |                                       |
| R. 147.005 .....                         | ad. 2010 No. 328                      |
| R. 147.010 .....                         | ad. 2010 No. 328                      |
| R. 147.015 .....                         | ad. 2010 No. 328                      |
| R. 147.020 .....                         | ad. 2010 No. 328                      |
| <b>Subpart 147.B</b>                     |                                       |
| R. 147.025 .....                         | ad. 2010 No. 328                      |
| R. 147.030 .....                         | ad. 2010 No. 328                      |
| R. 147.035 .....                         | ad. 2010 No. 328                      |
| R. 147.040 .....                         | ad. 2010 No. 328                      |
| R. 147.045 .....                         | ad. 2010 No. 328                      |
| <b>Subpart 147.C</b>                     |                                       |
| R. 147.050 .....                         | ad. 2010 No. 328                      |
| R. 147.055 .....                         | ad. 2010 No. 328                      |
| R. 147.060 .....                         | ad. 2010 No. 328                      |
| R. 147.065 .....                         | ad. 2010 No. 328                      |
| <b>Subpart 147.D</b>                     |                                       |
| R. 147.070 .....                         | ad. 2010 No. 328                      |
| R. 147.075 .....                         | ad. 2010 No. 328                      |
| R. 147.080 .....                         | ad. 2010 No. 328                      |
| R. 147.085 .....                         | ad. 2010 No. 328                      |
| Part 148 .....                           | ad. 2000 No. 204<br>rep. 2003 No. 240 |
| <b>Part 149</b>                          |                                       |
| Part 149 .....                           | ad. 2000 No. 204                      |
| <b>Part 171</b>                          |                                       |
| Part 171 .....                           | ad. 2000 No. 204<br>rs. 2002 No. 167  |
| Table of Provisions to<br>Part 171 ..... | ad. 2004 No. 345                      |
| <b>Subpart 171.A</b>                     |                                       |
| Subpart A of Part 171<br>Renumbered..... | 2004 No. 345                          |
| Subpart 171.A                            |                                       |

**Table of Amendments**

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| <b>Provision affected</b>                 | <b>How affected</b>   |
|---|---|
| R. 171.000 .....                          | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2004 No. 345        |
| R. 171.005 .....                          | ad. 2002 No. 167<br>rs. 2003 No. 75                             |
| R. 171.010 .....                          | ad. 2002 No. 167<br>am. 2003 No. 75; 2006 No. 124; 2011 No. 265 |
| R. 171.012 .....                          | ad. 2003 No. 75   |
| R. 171.015 .....                          | ad. 2002 No. 167  |
| R. 171.017 .....                          | ad. 2003 No. 75<br>am. 2004 No. 345                             |
| Note to r. 171.017 (1).....               | rs. 2005 No. 323  |
| R. 171.017A.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017B.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017C.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017D.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017E.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017F .....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017G .....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| R. 171.017H.....                          | ad. 2003 No. 75<br>rep. 2004 No. 345                            |
| <b>Subpart 171.B</b>                      |   |
| Subpart B of Part 171<br>Renumbered.....  | 2004 No. 345  |
| Subpart 171.B                             |   |
| Heading to Subpart 171.B.....             | rs. 2011 No. 77   |
| Note to heading to .....<br>Subpart 171.B | ad. 2011 No. 77   |
| R. 171.020 .....                          | ad. 2002 No. 167<br>am. 2003 No. 75; 2011 No. 77                |
| Note to r. 171.020 .....                  | ad. 2011 No. 77   |
| R. 171.022 (formerly<br>r. 171.165).....  | 2011 No. 77   |
| R. 171.025 .....                          | ad. 2002 No. 167<br>am. 2011 No. 77                             |
| R. 171.026 .....                          | ad. 2011 No. 77   |

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| <b>Provision affected</b>           | <b>How affected</b>                                      |
|-------------------------------------|--|
| R. 171.027 .....                    | ad. 2011 No. 77  |
| R. 171.028 .....                    | ad. 2011 No. 77  |
| R. 121.029 .....                    | ad. 2011 No. 77  |
| <b>Subpart 171.C</b>                |  |
| Subpart C of Part 171               |  |
| Renumbered.....                     | 2004 No. 345   |
| Subpart 171.C                       |  |
| R. 171.030 .....                    | ad. 2002 No. 167   |
| R. 171.035 .....                    | ad. 2002 No. 167<br>am. 2006 No. 124; 2011 No. 77        |
| R. 171.040 .....                    | ad. 2002 No. 167   |
| R. 171.045 .....                    | ad. 2002 No. 167<br>rs. 2003 No. 75<br>rep. 2006 No. 124 |
| R. 171.050 .....                    | ad. 2002 No. 167   |
| R. 171.055 .....                    | ad. 2002 No. 167<br>am. 2006 No. 124                     |
| R. 171.060 .....                    | ad. 2002 No. 167<br>rep. 2006 No. 124                    |
| R. 171.065 .....                    | ad. 2002 No. 167   |
| R. 171.070 .....                    | ad. 2002 No. 167   |
| R. 171.075 .....                    | ad. 2002 No. 167   |
| R. 171.080 .....                    | ad. 2002 No. 167   |
| R. 171.085 .....                    | ad. 2002 No. 167   |
| R. 171.086 .....                    | ad. 2006 No. 124   |
| <b>Subpart 171.D</b>                |  |
| Heading to Subpart D of<br>Part 171 |  |
| Renumbered.....                     | 2004 No. 345   |
| Subpart 171.D                       |  |
| R. 171.090 .....                    | ad. 2002 No. 167   |
| R. 171.095 .....                    | ad. 2002 No. 167   |
| R. 171.100 .....                    | ad. 2002 No. 167   |
| R. 171.105 .....                    | ad. 2002 No. 167<br>am. 2003 No. 75                      |
| R. 171.110 .....                    | ad. 2002 No. 167   |
| R. 171.115 .....                    | ad. 2002 No. 167   |
| R. 171.120 .....                    | ad. 2002 No. 167   |
| R. 171.125 .....                    | ad. 2002 No. 167<br>rs. 2006 No. 124                     |
| R. 171.130 .....                    | ad. 2002 No. 167<br>rep. 2006 No. 124                    |



**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                              | <b>How affected</b>                                     |
|--|---|
| R. 171.135 .....                                       | ad. 2002 No. 167<br>rep. 2006 No. 124                   |
| R. 171.140 .....                                       | ad. 2002 No. 167  |
| R. 171.145 .....                                       | ad. 2002 No. 167  |
| R. 171.150 .....                                       | ad. 2002 No. 167  |
| R. 171.155 .....                                       | ad. 2002 No. 167  |
| R. 171.160 .....                                       | ad. 2002 No. 167  |
| <b>Subpart 171.E</b>                                   |   |
| Heading to Subpart E of<br>Part 171<br>Renumbered..... | 2004 No. 345  |
| Heading to Subpart 171.E.....                          | rs. 2011 No. 77   |
| Note to Subpart E of .....<br>Part 171                 | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.165 .....                                       | ad. 2002 No. 167  |
| Relocated and renumbered<br>r. 171.022 .....           | 2011 No. 77   |
| R. 171.170 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.175 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.180 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.185 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.190 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.195 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.200 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.205 .....                                       | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2011 No. 77 |
| R. 171.210 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.215 .....                                       | ad. 2002 No. 167<br>rep. 2011 No. 77                    |
| R. 171.220 .....                                       | ad. 2002 No. 167  |
| Note to r. 171.220 (1).....                            | am. 2004 No. 345  |
| R. 171.225 .....                                       | ad. 2002 No. 167  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                                      |
|--|--|
| R. 171.230 .....                         | ad. 2002 No. 167   |
| Note to r. 171.230 .....                 | am. 2004 No. 345   |
| R. 171.235 .....                         | ad. 2002 No. 167   |
| R. 171.237 .....                         | ad. 2003 No. 75  |
| R. 171.240 .....                         | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 171.245 .....                         | ad. 2002 No. 167   |
| R. 171.250 .....                         | ad. 2002 No. 167<br>am. 2006 No. 124<br>rep. 2011 No. 77 |
| R. 171.255 .....                         | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| <b>Part 172</b>                          |  |
| Part 172 .....                           | ad. 2000 No. 204<br>rs. 2002 No. 167                     |
| Table of Provisions to<br>Part 172 ..... | ad. 2004 No. 345   |
| <b>Subpart 172.A</b>                     |  |
| Subpart A of Part 172<br>Renumbered..... | 2004 No. 345   |
| Subpart 172.A                            |  |
| R. 172.000 .....                         | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2004 No. 345 |
| R. 172.005 .....                         | ad. 2002 No. 167<br>rs. 2003 No. 75                      |
| R. 172.010 .....                         | ad. 2002 No. 167<br>am. 2003 No. 75; 2007 No. 172        |
| R. 172.015 .....                         | ad. 2002 No. 167   |
| R. 172.020 .....                         | ad. 2002 No. 167   |
| R. 172.022 .....                         | ad. 2003 No. 75<br>am. 2004 No. 345                      |
| Note to r. 172.022 (1).....              | rs. 2005 No. 323   |
| R. 172.022A.....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022B.....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022C.....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022D.....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022E.....                         | ad. 2003 No. 75<br>rep. 2004 No. 345                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>          | <b>How affected</b>                                      |
|------------------------------------|--|
| R. 172.022F .....                  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022G .....                  | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| R. 172.022H.....                   | ad. 2003 No. 75<br>rep. 2004 No. 345                     |
| <b>Subpart 172.B</b>               |  |
| Subpart B of Part 172              |  |
| Renumbered.....                    | 2004 No. 345   |
| Subpart 172.B                      |  |
| R. 172.024 .....                   | ad. 2003 No. 75  |
| R. 172.025 .....                   | ad. 2002 No. 167<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 172.030 .....                   | ad. 2002 No. 167<br>am. 2004 No. 345                     |
| R. 172.035 .....                   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.040 .....                   | ad. 2002 No. 167   |
| R. 172.045 .....                   | ad. 2002 No. 167<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 172.050 .....                   | ad. 2002 No. 167<br>am. 2004 No. 345; 2011 No. 77        |
| R. 172.055 .....                   | ad. 2002 No. 167<br>am. 2004 No. 345                     |
| <b>Subpart 172.C</b>               |  |
| Subpart C of Part 172              |  |
| Renumbered.....                    | 2004 No. 345   |
| Subpart 172.C                      |  |
| <b>Division 172.C.1</b>            |  |
| Div. 1 of Subpart C of<br>Part 172 |  |
| Renumbered Div. 172.C.1 ....       | 2004 No. 345   |
| R. 172.060 .....                   | ad. 2002 No. 167   |
| <b>Division 172.C.2</b>            |  |
| Div. 2 of Subpart C of<br>Part 172 |  |
| Renumbered Div. 172.C.2....        | 2004 No. 345   |
| R. 172.065 .....                   | ad. 2002 No. 167   |
| R. 172.070 .....                   | ad. 2002 No. 167   |
| R. 172.075 .....                   | ad. 2002 No. 167   |
| R. 172.080 .....                   | ad. 2002 No. 167   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b> |
|---|---------------------|
| R. 172.085 .....  | ad. 2002 No. 167    |
| R. 172.090 .....  | ad. 2002 No. 167    |
| <b>Division 172.C.3</b>   |                     |
| Div. 3 of Subpart C of<br>Part 172<br>Renumbered Div. 172.C.3.... | 2004 No. 345        |
| R. 172.095 .....  | ad. 2002 No. 167    |
| <b>Division 172.C.4</b>   |                     |
| Div. 4 of Subpart C of .....                                      | ad. 2002 No. 167    |
| Part 172<br>Renumbered Div. 172.C.4....                           | 2004 No. 345        |
| R. 172.100 .....  | ad. 2002 No. 167    |
| R. 172.105 .....  | ad. 2002 No. 167    |
| R. 172.110 .....  | ad. 2002 No. 167    |
| R. 172.115 .....  | ad. 2002 No. 167    |
| R. 172.120 .....  | ad. 2002 No. 167    |
| <b>Division 172.C.5</b>   |                     |
| Div. 5 of Subpart C of<br>Part 172<br>Renumbered Div. 172.C.5.... | 2004 No. 345        |
| R. 172.125 .....  | ad. 2002 No. 167    |
| R. 172.130 .....  | ad. 2002 No. 167    |
| R. 172.135 .....  | ad. 2002 No. 167    |
| <b>Division 172.C.6</b>   |                     |
| Div. 6 of Subpart C of<br>Part 172<br>Renumbered Div. 172.C.6.... | 2004 No. 345        |
| R. 172.140 .....  | ad. 2002 No. 167    |
| R. 172.145 .....  | ad. 2002 No. 167    |
| R. 172.150 .....  | ad. 2002 No. 167    |
| R. 172.155 .....  | ad. 2002 No. 167    |
| <b>Division 172.C.7</b>   |                     |
| Div. 7 of Subpart C of<br>Part 172<br>Renumbered Div. 172.C.7.... | 2004 No. 345        |
| R. 172.160 .....  | ad. 2002 No. 167    |
| R. 172.165 .....  | ad. 2002 No. 167    |
| R. 172.170 .....  | ad. 2002 No. 167    |
| R. 172.175 .....  | ad. 2002 No. 167    |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                                       | <b>How affected</b>                  |
|---|--------------------------------------|
| <b>Division 172.C.8</b>   |                                      |
| Div. 8 of Subpart C of Part 172<br>Renumbered Div. 172.C.8....  | 2004 No. 345                         |
| R. 172.180 .....  | ad. 2002 No. 167<br>am. 2011 No. 265 |
| <b>Subpart 172.D</b>  |                                      |
| Subpart D of Part 172<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 172.D   |                                      |
| R. 172.185 .....  | ad. 2002 No. 167                     |
| R. 172.190 .....  | ad. 2002 No. 167                     |
| <b>Subpart 172.E</b>  |                                      |
| Subpart E of Part 172<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 172.E   |                                      |
| R. 172.195 .....  | ad. 2002 No. 167                     |
| <b>Subpart 172.F</b>  |                                      |
| Subpart F of Part 172<br>Renumbered.....                        | 2004 No. 345                         |
| Subpart 172.F   |                                      |
| Heading to Subpart 172.F.....                                   | rs. 2011 No. 77                      |
| Note to heading to Subpart F..<br>of Part 172                   | ad. 2002 No. 167                     |
| <b>Division 172.F.1</b>   |                                      |
| Div. 1 of Subpart F of Part 172<br>Renumbered Div. 172.F.1 .... | 2004 No. 345                         |
| R. 172.200 .....  | ad. 2002 No. 167                     |
| <b>Division 172.F.2</b>   |                                      |
| Div. 2 of Subpart F of Part 172<br>Renumbered Div. 172.F.2 .... | 2004 No. 345                         |
| R. 172.202 .....  | ad. 2011 No. 77                      |
| R. 172.205 .....  | ad. 2002 No. 167                     |
| R. 172.210 .....  | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 172.215 .....  | ad. 2002 No. 167<br>rs. 2011 No. 77  |
| R. 172.220 .....  | ad. 2002 No. 167<br>rep. 2011 No. 77 |
| R. 172.225 .....  | ad. 2002 No. 167<br>rep. 2011 No. 77 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>  | <b>How affected</b>                                      |
|--|--|
| R. 172.230 .....   | ad. 2002 No. 167<br>rs. 2011 No. 77                      |
| R. 172.235 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.240 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.245 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.250 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.255 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.260 .....   | ad. 2002 No. 167<br>rs. 2011 No. 77                      |
| R. 172.265 .....   | ad. 2002 No. 167<br>am. 2011 No. 77                      |
| R. 172.270 .....   | ad. 2002 No. 167<br>rs. 2011 No. 77                      |
| R. 172.275 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.280 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| Division 172.F.3 .....   | rep. 2011 No. 77   |
| Div. 3 of Subpart F of<br>Part 172<br>Renumbered Div. 172.F.3 .... | 2004 No. 345   |
| R. 172.285 .....   | ad. 2002 No. 167<br>rep. 2011 No. 77                     |
| R. 172.290 .....   | ad. 2002 No. 167<br>am. 2004 No. 345<br>rep. 2011 No. 77 |
| R. 172.295 .....   | ad. 2002 No. 167<br>am. 2003 No. 75<br>rep. 2011 No. 77  |
| <b>Division 172.F.4</b>  |  |
| Div. 4 of Subpart F of<br>Part 172<br>Renumbered Div. 172.F.4 .... | 2004 No. 345   |
| R. 172.300 .....   | ad. 2002 No. 167   |
| <b>Division 172.F.5</b>  |  |
| Div. 5 of Subpart F of<br>Part 172<br>Renumbered Div. 172.F.5 .... | 2004 No. 345   |
| R. 172.305 .....   | ad. 2002 No. 167   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                   |
|--|---------------------------------------|
| R. 172.310 .....                         | ad. 2002 No. 167                      |
| Note to r. 172.310 (1).....              | am. 2004 No. 345                      |
| R. 172.315 .....                         | ad. 2002 No. 167                      |
| Note to r. 172.315 .....                 | am. 2004 No. 345                      |
| R. 172.320 .....                         | ad. 2002 No. 167                      |
| R. 172.325 .....                         | ad. 2002 No. 167                      |
| R. 172.327 .....                         | ad. 2003 No. 75                       |
| R. 172.330 .....                         | ad. 2002 No. 167<br>rep. 2011 No. 77  |
| <b>Part 173</b>                          |                                       |
| Part 173 .....                           | ad. 2000 No. 204<br>rs. 2003 No. 189  |
| Table of Provisions to .....<br>Part 173 | ad. 2004 No. 345                      |
| <b>Subpart 173.A</b>                     |                                       |
| R. 173.000 .....                         | ad. 2003 No. 189<br>rep. 2004 No. 345 |
| R. 173.005 .....                         | ad. 2003 No. 189                      |
| R. 173.010 .....                         | ad. 2003 No. 189<br>am. 2011 No. 265  |
| Note to r. 173.010 .....                 | rs. 2011 No. 265                      |
| R. 173.015 .....                         | ad. 2003 No. 189                      |
| R. 173.020 .....                         | ad. 2003 No. 189                      |
| R. 173.025 .....                         | ad. 2003 No. 189                      |
| R. 173.030 .....                         | ad. 2003 No. 189                      |
| R. 173.035 .....                         | ad. 2003 No. 189<br>rs. 2011 No. 265  |
| R. 173.040 .....                         | ad. 2003 No. 189                      |
| <b>Subpart 173.B</b>                     |                                       |
| <b>Division 173.B.1</b>                  |                                       |
| Heading to Div. 173.B.1 .....            | rs. 2011 No. 77                       |
| Note to heading to .....<br>Div. 173.B.1 | ad. 2011 No. 77                       |
| R. 173.045 .....                         | ad. 2003 No. 189<br>am. 2011 No. 77   |
| Note to r. 173.045 (2).....              | ad. 2011 No. 77                       |
| R. 173.050 .....                         | ad. 2003 No. 189                      |
| R. 173.055 .....                         | ad. 2003 No. 189<br>am. 2011 No. 77   |
| R. 173.060 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b>                  |
|---------------------------|--------------------------------------|
| R. 173.065 .....          | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| R. 173.070 .....          | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| <b>Division 173.B.2</b>   |                                      |
| R. 173.075 .....          | ad. 2003 No. 189                     |
| R. 173.080 .....          | ad. 2003 No. 189                     |
| R. 173.085 .....          | ad. 2003 No. 189                     |
| R. 173.090 .....          | ad. 2003 No. 189                     |
| R. 173.095 .....          | ad. 2003 No. 189                     |
| R. 173.100 .....          | ad. 2003 No. 189                     |
| R. 173.105 .....          | ad. 2003 No. 189                     |
| R. 173.110 .....          | ad. 2003 No. 189                     |
| R. 173.115 .....          | ad. 2003 No. 189                     |
| R. 173.120 .....          | ad. 2003 No. 189                     |
| R. 173.125 .....          | ad. 2003 No. 189                     |
| R. 173.130 .....          | ad. 2003 No. 189                     |
| R. 173.135 .....          | ad. 2003 No. 189                     |
| R. 173.140 .....          | ad. 2003 No. 189                     |
| R. 173.145 .....          | ad. 2003 No. 189                     |
| R. 173.150 .....          | ad. 2003 No. 189                     |
| R. 173.155 .....          | ad. 2003 No. 189                     |
| R. 173.160 .....          | ad. 2003 No. 189                     |
| <b>Division 173.B.3</b>   |                                      |
| R. 173.165 .....          | ad. 2003 No. 189                     |
| R. 173.170 .....          | ad. 2003 No. 189                     |
| R. 173.175 .....          | ad. 2003 No. 189                     |
| R. 173.180 .....          | ad. 2003 No. 189                     |
| R. 173.185 .....          | ad. 2003 No. 189                     |
| R. 173.190 .....          | ad. 2003 No. 189                     |
| <b>Division 173.B.4</b>   |                                      |
| R. 173.195 .....          | ad. 2003 No. 189<br>am. 2011 No. 265 |
| R. 173.200 .....          | ad. 2003 No. 189                     |
| R. 173.205 .....          | ad. 2003 No. 189                     |
| R. 173.210 .....          | ad. 2003 No. 189                     |
| R. 173.215 .....          | ad. 2003 No. 189                     |



**Table of Amendments**

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| <b>Provision affected</b>        | <b>How affected</b>                  |
|----------------------------------|--------------------------------------|
| <b>Subpart 173.C</b>             |                                      |
| <b>Division 173.C.1</b>          |                                      |
| Heading to Div. 173.C.1.....     | rs. 2011 No. 77                      |
| Note to heading to Div. 173.C.1  | ad. 2011 No. 77                      |
| R. 173.220 .....                 | ad. 2003 No. 189<br>am. 2011 No. 77  |
| Note to r. 173.220 (2).....      | ad. 2011 No. 77                      |
| R. 173.225 .....                 | ad. 2003 No. 189                     |
| R. 173.230 .....                 | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.235 .....                 | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.240 .....                 | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| R. 173.245 .....                 | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| <b>Division 173.C.2</b>          |                                      |
| R. 173.250 .....                 | ad. 2003 No. 189                     |
| R. 173.255 .....                 | ad. 2003 No. 189                     |
| R. 173.260 .....                 | ad. 2003 No. 189                     |
| R. 173.265 .....                 | ad. 2003 No. 189                     |
| R. 173.270 .....                 | ad. 2003 No. 189                     |
| R. 173.275 .....                 | ad. 2003 No. 189                     |
| R. 173.280 .....                 | ad. 2003 No. 189                     |
| R. 173.285 .....                 | ad. 2003 No. 189                     |
| R. 173.290 .....                 | ad. 2003 No. 189<br>am. 2011 No. 265 |
| <b>Division 173.C.3</b>          |                                      |
| R. 173.295 .....                 | ad. 2003 No. 189                     |
| R. 173.300 .....                 | ad. 2003 No. 189                     |
| R. 173.305 .....                 | ad. 2003 No. 189                     |
| <b>Subpart 173.D</b>             |                                      |
| R. 173.310 .....                 | ad. 2003 No. 189                     |
| R. 173.315 .....                 | ad. 2003 No. 189                     |
| <b>Subpart 173.E</b>             |                                      |
| Heading to Subpart 173.E.....    | rs. 2011 No. 77                      |
| Note to heading to Subpart 173.E | rs. 2011 No. 77                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                | <b>How affected</b>                  |
|--|--------------------------------------|
| <b>Division 173.E.1</b>                  |                                      |
| Heading to Div. 173.E.1                  | rs. 2011 No. 77                      |
| Note to heading to .....<br>Div. 173.E.1 | ad. 2011 No. 77                      |
| R. 173.320 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.325 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.330 .....                         | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| R. 173.335 .....                         | ad. 2003 No. 189<br>rs. 2011 No. 77  |
| R. 173.340 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.345 .....                         | ad. 2003 No. 189<br>am. 2011 No. 77  |
| R. 173.350 .....                         | ad. 2003 No. 189<br>am. 2011 No. 77  |
| R. 173.355 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.360 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| Division 173.E.2 .....                   | rep. 2011 No. 77                     |
| R. 173.365 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| R. 173.370 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| <b>Division 173.E.3</b>                  |                                      |
| R. 173.375 .....                         | ad. 2003 No. 189                     |
| <b>Division 173.E.4</b>                  |                                      |
| R. 173.380 .....                         | ad. 2003 No. 189                     |
| R. 173.385 .....                         | ad. 2003 No. 189<br>rep. 2011 No. 77 |
| <b>Division 173.E.5</b>                  |                                      |
| R. 173.390 .....                         | ad. 2003 No. 189                     |
| R. 173.395 .....                         | ad. 2003 No. 189                     |
| R. 173.400 .....                         | ad. 2003 No. 189<br>am. 2011 No. 265 |
| Part 183 .....                           | ad. 2000 No. 204<br>rep. 2011 No. 77 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>   | <b>How affected</b>                                  |
|---|--|
| <b>Part 200</b>   |  |
| Heading to Part 200.....  | rs. 2004 No. 345                                     |
| Table of Provisions to .....<br>Part 200                                      | ad. 2004 No. 345                                     |
| Subpart A of Part 200 .....<br>Renumbered.....<br>Subpart 200.A               | ad. 2000 No. 204<br>2002 No. 350                     |
| Subpart 200.A.....  | rep. 2004 No. 345                                    |
| R. 200.0 .....<br>Renumbered r. 200.000 .....                                 | ad. 2000 No. 204<br>2002 No. 350                     |
| R. 200.000 .....  | rep. 2004 No. 345                                    |
| Heading to Div. 1 of .....<br>Part 200  | rep. 2000 No. 204                                    |
| <b>Subpart 200.B</b>  |  |
| Heading to Subpart B of .....<br>Part 200<br>Renumbered.....<br>Subpart 200.B | ad. 2000 No. 204<br>2002 No. 350                     |
| R. 200.1 .....<br>Renumbered r. 200.001 .....                                 | am. 2000 No. 227; 2002 No. 350<br>2002 No. 350       |
| R. 200.2 .....<br>Renumbered r. 200.002 .....                                 | am. 2000 No. 227; 2002 No. 350<br>2002 No. 350       |
| R. 200.002 .....  | am. 2004 No. 216                                     |
| R. 200.3 .....<br>Renumbered r. 200.003 .....                                 | am. 2000 No. 227; 2002 No. 350<br>2002 No. 350       |
| R. 200.003 .....  | rs. 2007 No. 226                                     |
| R. 200.4 .....<br>Renumbered r. 200.004 .....                                 | am. 2000 No. 227; 2002 No. 350<br>2002 No. 350       |
| R. 200.004  | rs. 2005 No. 321                                     |
| R. 200.5 .....<br><br>Renumbered r. 200.005 .....                             | am. 2000 No. 227<br>rs. 2001 No. 349<br>2002 No. 350 |
| R. 200.005.....   | am. 2002 No. 350                                     |
| R. 200.6 .....  | am. 2000 No. 227<br>rep. 2001 No. 349                |
| R. 200.7 .....  | rep. 2000 No. 7                                      |
| R. 200.8 .....<br>Renumbered r. 200.008 .....                                 | am. 2000 No. 227; 2002 No. 350<br>2002 No. 350       |
| R. 200.9 .....  | am. 2000 No. 227<br>rep. 2001 No. 349                |
| R. 200.10 .....<br><br>Renumbered r. 200.010 .....                            | rs. 2000 No. 7<br>am. 2002 No. 350<br>2002 No. 350   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>     | <b>How affected</b>  |
|-------------------------------|--|
| Rr. 200.11, 200.12 .....      | rep. 2000 No. 7  |
| R. 200.13 .....               | am. 1999 No. 166; 2000 No. 227; 2002 No. 350   |
| Renumbered r. 200.013 .....   | 2002 No. 350   |
| R. 200.013 .....              | am. 2004 No. 216<br>rs. 2005 No. 321   |
| R. 200.14 .....               | am. 2000 No. 227; 2002 No. 350   |
| Renumbered r. 200.014 .....   | 2002 No. 350   |
| R. 200.014 .....              | rs. 2005 No. 321   |
| Heading to Div. 2 of .....    | rep. 2000 No. 204  |
| Part 200                      |  |
| <b>Subpart 200.C</b>          |  |
| Heading to Subpart C of ..... | ad. 2000 No. 204   |
| Part 200                      |  |
| Renumbered.....               | 2002 No. 350   |
| Subpart 200.C                 |  |
| R. 200.20 .....               | am. 2000 No. 227; 2002 No. 350   |
| Renumbered r. 200.020 .....   | 2002 No. 350   |
| <b>Part 201</b>               |  |
| Table of Provisions to .....  | ad. 2004 No. 345   |
| Part 201                      |  |
| R. 201.0 .....                | ad. 2000 No. 204   |
| Renumbered r. 201.000 .....   | 2002 No. 350   |
| R. 201.000 .....              | rep. 2004 No. 345  |
| R. 201.1 .....                | am. 2000 No. 227; 2002 No. 350   |
| Renumbered r. 201.001 .....   | 2002 No. 350   |
| R. 201.2 .....                | am. 2000 No. 227; 2002 No. 350   |
| Renumbered r. 201.002 .....   | 2002 No. 350   |
| R. 201.002 .....              | rep. 2004 No. 345  |
| R. 201.3                      |  |
| Renumbered r. 201.003 .....   | 2002 No. 350   |
| R. 201.4 .....                | am. 1999 Nos. 166 and 262; 2000 Nos. 204 and 227;<br>2002 No. 350                          |
| Renumbered r. 201.004 .....   | 2002 No. 350   |
| R. 201.004 .....              | am. 2004 No. 345; 2007 No. 41; 2009 No. 64; 2010<br>Nos. 277 and 328; 2011 Nos. 77 and 265 |
| R. 201.005 .....              | ad. 2004 No. 345   |
| R. 201.010 .....              | ad. 2004 No. 345   |
| R. 201.015 .....              | ad. 2004 No. 345<br>rep. 2011 No. 77   |
| R. 201.016 .....              | ad. 2005 No. 258<br>am. 2008 No. 192   |
| Note to r. 201.016 (2).....   | rep. 2008 No. 192  |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                  | <b>How affected</b>   |
|--|---|
| R. 201.020 .....                           | ad. 2004 No. 345<br>rs. 2011 No. 77                                   |
| <b>Part 202</b>                            |   |
| Part 202 .....                             | ad. 1999 No. 262  |
| Table of Provisions to .....<br>Part 202   | ad. 2004 No. 345<br>rep. 2004 No. 345                                 |
| Heading to Subpart 202.AA ....             | ad. 2002 No. 321<br>rep. 2004 No. 345                                 |
| Subpart 202.AA .....                       | rep. 2004 No. 345   |
| R. 202.0 .....                             | ad. 2000 No. 204<br>rep. 2002 No. 321                                 |
| R. 202.000 .....                           | ad. 2002 No. 321<br>am. 2003 Nos. 58, 75 and 240<br>rep. 2004 No. 345 |
| <b>Subpart 202.AB</b>                      |   |
| Subpart 202.AB .....                       | ad. 2002 No. 321<br>rs. 2011 No. 77                                   |
| Note to heading to .....<br>Subpart 202.AB | rs. 2011 No. 77   |
| <b>Subpart 202.AD</b>                      |   |
| Subpart 202.AD .....                       | ad. 2002 No. 321<br>rs. 2004 No. 345                                  |
| R. 202.010 .....                           | ad. 2004 No. 345<br>am. 2011 No. 77                                   |
| Heading to r. 202.011 .....                | rs. 2011 No. 77   |
| R. 202.011 .....                           | ad. 2004 No. 345<br>am. 2011 No. 77                                   |
| R. 202.011A.....                           | ad. 2011 No. 77   |
| R. 202.011B.....                           | ad. 2011 No. 77   |
| R. 202.011C.....                           | ad. 2011 No. 77   |
| R. 202.011D.....                           | ad. 2011 No. 77   |
| R. 202.011E.....                           | ad. 2011 No. 77   |
| R. 202.011F.....                           | ad. 2011 No. 77   |
| R. 202.011G .....                          | ad. 2011 No. 77   |
| R. 202.012 .....                           | ad. 2004 No. 345  |
| R. 202.013 .....                           | ad. 2011 No. 77   |
| <b>Subpart 202.AF</b>                      |   |
| Subpart 202.AF of Part 202 ....            | ad. 2002 No. 321  |
| <b>Subpart 202.AJ</b>                      |   |
| Heading to Subpart 202.AJ.....             | ad. 2002 No. 321  |
| <b>Division 202.AJ.1</b>                   |   |
| Heading to Div. 202.AJ.1                   | ad. 2011 No. 76   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>          | <b>How affected</b>                   |
|------------------------------------|---------------------------------------|
| R. 202.049A.....                   | ad. 2011 No. 76                       |
| R. 202.1 .....                     | ad. 1999 No. 262                      |
| Renumbered r. 202.050 .....        | 2002 No. 321                          |
| R. 202.2 .....                     | ad. 1999 No. 262                      |
| Renumbered r. 202.051 .....        | 2002 No. 321                          |
| R. 202.3 .....                     | ad. 1999 No. 262                      |
| Renumbered r. 202.052 .....        | 2002 No. 321                          |
| <b>Division 202.AJ.2</b>           |                                       |
| Division 202.AJ.2.....             | ad. 2011 No. 76                       |
| R. 202.053 .....                   | ad. 2011 No. 76                       |
| R. 202.054 .....                   | ad. 2011 No. 76                       |
| R. 202.055 .....                   | ad. 2011 No. 76                       |
| R. 202.056 .....                   | ad. 2011.No. 76                       |
| R. 202.057 .....                   | ad. 2011 No. 76                       |
| R. 202.058 .....                   | ad. 2011 No. 76                       |
| <b>Division 202.AJ.3</b>           |                                       |
| Heading to Div. 202.AJ.3 .....     | ad. 2011 No. 76                       |
| R. 202.059 .....                   | ad. 2011. No. 76                      |
| <b>Subpart 202.AK</b>              |                                       |
| Subpart 202.AK of Part 202 ....    | ad. 2002 No. 321<br>rs. 2009 No. 147  |
| R. 202.060 .....                   | ad. 2009 No. 147                      |
| <b>Subpart 202.AL</b>              |                                       |
| Subpart 202.AL of Part 202 ....    | ad. 2002 No. 321<br>rs. 2009 No. 147  |
| R. 202.070 .....                   | ad. 2009 No. 147                      |
| Subpart 202.AM of Part 202 ...     | ad. 2002 No. 321<br>rep. 2004 No. 345 |
| <b>Subpart 202.AN</b>              |                                       |
| Subpart 202.AN of Part 202....     | ad. 2002 No. 321<br>rs. 2009 No. 147  |
| R. 202.090 .....                   | ad. 2009 No. 147                      |
| <b>Subpart 202.AO</b>              |                                       |
| Subpart 202.AO of Part 202....     | ad. 2002 No. 321                      |
| <b>Subpart 202.AP</b>              |                                       |
| Subpart 202.AP of Part 202....     | ad. 2002 No. 321                      |
| <b>Subpart 202.AR</b>              |                                       |
| Subpart 202.AR of Part 202....     | ad. 2002 No. 321                      |
| <b>Subpart 202.AT</b>              |                                       |
| Subpart 202.AT.....<br>of Part 202 | ad. 2002 No. 321                      |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>                  |
|---------------------------------|--------------------------------------|
| <b>Subpart 202.AU</b>           |                                      |
| Subpart 202.AU of Part 202....  | ad. 2002 No. 321<br>rs. 2009 No. 147 |
| R. 202.140 .....                | ad. 2009 No. 147                     |
| <b>Subpart 202.AV</b>           |                                      |
| Subpart 202.AV of Part 202....  | ad. 2002 No. 321                     |
| <b>Subpart 202.AX</b>           |                                      |
| Subpart 202.AX of Part 202....  | ad. 2002 No. 321                     |
| <b>Subpart 202.AZ</b>           |                                      |
| Heading to Subpart 202.AZ ....  | ad. 2002 No. 321<br>rs. 2004 No. 345 |
| Subpart 202.AZ of Part 202 .... | rs. 2004 No. 345                     |
| R. 202.4 .....                  | ad. 1999 No. 262                     |
| Renumbered r. 202.170 .....     | 2002 No. 321                         |
| R. 202.170 .....                | rs. 2004 No. 345                     |
| R. 202.5 .....                  | ad. 1999 No. 262                     |
| Renumbered r. 202.171 .....     | 2002 No. 321                         |
| R. 202.171 .....                | rs. 2004 No. 345                     |
| R. 202.6 .....                  | ad. 1999 No. 262                     |
| Renumbered r. 202.172 .....     | 2002 No. 321                         |
| R. 202.172 .....                | rs. 2004 No. 345                     |
| <b>Subpart 202.BA</b>           |                                      |
| Subpart 202.BA of Part 202....  | ad. 2010 No. 328                     |
| R. 202.180 .....                | ad. 2010 No. 328                     |
| R. 202.181 .....                | ad. 2010 No. 328                     |
| R. 202.182 .....                | ad. 2010 No. 328                     |
| R. 202.183 .....                | ad. 2010 No. 328                     |
| R. 202.184 .....                | ad. 2010 No. 328<br>am. 2012 No. 107 |
| R. 202.185 .....                | ad. 2010 No. 328                     |
| R. 202.186 .....                | ad. 2010 No. 328                     |
| R. 202.187 .....                | ad. 2010 No. 328                     |
| R. 202.188 .....                | ad. 2010 No. 328                     |
| R. 202.189 .....                | ad. 2010 No. 328                     |
| R. 202.190 .....                | ad. 2010 No. 328                     |
| R. 202.191 .....                | ad. 2010 No. 328                     |
| R. 202.192 .....                | ad. 2010 No. 328                     |
| R. 202.193 .....                | ad. 2010 No. 328                     |
| R. 202.194 .....                | ad. 2010 No. 328                     |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>       | <b>How affected</b>                                |
|---------------------------------|--|
| Subpart 202.BB of Part 202 .... | ad. 2002 No. 321<br>rep. 2010 No. 328              |
| <b>Subpart 202.BD</b>           |  |
| Subpart 202.BD of Part 202....  | ad. 2002 No. 321<br>rs. 2004 No. 345               |
| R. 202.200 .....                | ad. 2004 No. 345                                   |
| <b>Subpart 202.BF</b>           |  |
| Subpart 202.BF of Part 202 .... | ad. 2002 No. 321<br>rs. 2004 No. 134               |
| R. 202.220 .....                | ad. 2004 No. 134                                   |
| R. 202.221 .....                | ad. 2004 No. 134                                   |
| R. 202.222 .....                | ad. 2004 No. 134                                   |
| R. 202.223 .....                | ad. 2004 No. 134<br>am. 2004 No. 345; 2005 No. 242 |
| R. 202.224 .....                | ad. 2004 No. 134                                   |
| R. 202.225 .....                | ad. 2004 No. 134<br>am. 2005 No. 242               |
| R. 202.226 .....                | ad. 2004 No. 134<br>rep. 2005 No. 242              |
| <b>Subpart 202.CA</b>           |  |
| Subpart 202.CA of Part 202....  | ad. 2002 No. 321<br>rs. 2003 No. 240               |
| R. 202.240 .....                | ad. 2003 No. 240<br>am. 2004 No. 345               |
| R. 202.241 .....                | ad. 2003 No. 240<br>am. 2004 No. 345               |
| <b>Subpart 202.CB</b>           |  |
| Subpart 202.CB of Part 202....  | ad. 2002 No. 321                                   |
| <b>Subpart 202.CD</b>           |  |
| Subpart 202.CD of Part 202....  | ad. 2002 No. 321                                   |
| <b>Subpart 202.CE</b>           |  |
| Subpart 202.CE of Part 202...   | ad. 2002 No. 321                                   |
| <b>Subpart 202.CF</b>           |  |
| Subpart 202.CF of Part 202 .... | ad. 2002 No. 321<br>rs. 2003 No. 75                |
| R. 202.320 .....                | ad. 2003 No. 75<br>am. 2004 No. 345                |
| R. 202.321 .....                | ad. 2004 No. 345                                   |
| <b>Subpart 202.CG</b>           |  |
| Subpart 202.CG .....            | ad. 2002 No. 321<br>rs. 2010 No. 328               |



**Table of Amendments**

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| <b>Provision affected</b>                  | <b>How affected</b>                                      |
|--|--|
| Note to heading to .....<br>Subpart 202.CG | rs. 2010 No. 328   |
| R. 202.340 .....                           | ad. 2010 No. 328   |
| R. 202.341 .....                           | ad. 2010 No. 328   |
| R. 202.342 .....                           | ad. 2010 No. 328   |
| R. 202.343 .....                           | ad. 2010 No. 328   |
| R. 202.344 .....                           | ad. 2010 No. 328<br>am. 2012 No. 107                     |
| R. 202.345 .....                           | ad. 2010 No. 328   |
| R. 202.346 .....                           | ad. 2010 No. 328   |
| R. 202.347 .....                           | ad. 2010 No. 328   |
| <b>Subpart 202.CH</b>                      |  |
| Subpart 202.CH .....                       | ad. 2002 No. 321<br>rs. 2003 No. 232                     |
| R. 202.360 .....                           | ad. 2003 No. 232<br>am. 2004 No. 345                     |
| R. 202.361 .....                           | ad. 2003 No. 232<br>am. 2004 No. 345                     |
| R. 202.362 .....                           | ad. 2003 No. 232<br>am. 2004 No. 345                     |
| R. 202.363 .....                           | ad. 2003 No. 232<br>rs. 2004 No. 345                     |
| <b>Subpart 202.DA</b>                      |  |
| Subpart 202.DA of Part 202....             | ad. 2002 No. 321   |
| <b>Subpart 202.EA</b>                      |  |
| Subpart 202.EA of Part 202....             | ad. 2002 No. 321   |
| <b>Subpart 202.EB</b>                      |  |
| Subpart 202.EB of Part 202....             | ad. 2002 No. 321   |
| <b>Subpart 202.EC</b>                      |  |
| Subpart 202.EC of Part 202....             | ad. 2002 No. 321<br>rs. 2003 No. 365                     |
| R. 202.440 .....                           | ad. 2003 No. 365   |
| Note to r. 202.440 .....                   | ad. 2003 No. 365<br>rs. 2003 No. 365<br>am. 2004 No. 345 |
| <b>Subpart 202.FA</b>                      |  |
| Subpart 202.FA of Part 202 ....            | ad. 2002 No. 321<br>rs. 2004 No. 345                     |
| R. 202.460 .....                           | ad. 2004 No. 345   |
| <b>Subpart 202.FC</b>                      |  |
| Subpart 202.FC of Part 202....             | ad. 2002 No. 321   |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>            | <b>How affected</b>                 |
|--------------------------------------|-------------------------------------|
| <b>Subpart 202.FE</b>                |                                     |
| Subpart 202.FE of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FJ</b>                |                                     |
| Subpart 202.FJ of Part 202.....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FL</b>                |                                     |
| Subpart 202.FL of Part 202.....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FN</b>                |                                     |
| Subpart 202.FN of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FO</b>                |                                     |
| Subpart 202.FO of Part 202....       | ad. 2002 No. 321                    |
| <b>Subpart 202.FR</b>                |                                     |
| Subpart 202.FR of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FT</b>                |                                     |
| Subpart 202.FT of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FV</b>                |                                     |
| Subpart 202.FV of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FW</b>                |                                     |
| Subpart 202.FW of Part 202 ...       | ad. 2002 No. 321                    |
| <b>Subpart 202.FX</b>                |                                     |
| Subpart 202.FX of Part 202 ....      | ad. 2002 No. 321                    |
| <b>Subpart 202.FY</b>                |                                     |
| Subpart 202.FY of Part 202 ....      | ad. 2002 No. 321<br>rs. 2003 No. 58 |
| R. 202.700 .....                     | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 202.701 .....                     | ad. 2003 No. 58<br>rs. 2004 No. 345 |
| R. 202.702 .....                     | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 202.703 .....                     | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 202.704 .....                     | ad. 2003 No. 58<br>am. 2004 No. 345 |
| R. 202.705 .....                     | ad. 2003 No. 58<br>rs. 2004 No. 345 |
| <b>Subpart 202.FYH</b>               |                                     |
| Subpart 202.FYH of .....<br>Part 202 | ad. 2003 No. 75                     |
| R. 202.710 .....                     | ad. 2003 No. 75<br>am. 2004 No. 345 |

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

| <b>Provision affected</b>                    | <b>How affected</b>                   |
|--|---------------------------------------|
| <b>Subpart 202.GA</b>                        |                                       |
| Subpart 202.GA of Part 202....               | ad. 2002 No. 321                      |
| <b>Subpart 202.GB</b>                        |                                       |
| Subpart 202.GB of Part 202....               | ad. 2002 No. 321                      |
| <b>Subpart 202.GC</b>                        |                                       |
| Heading to Subpart 202.GC....<br>of Part 202 | rs. 2004 No. 345                      |
| Subpart 202.GC of Part 202 ...               | ad. 2002 No. 321<br>rs. 2003 No. 75   |
| R. 202.760 .....                             | ad. 2003 No. 75<br>am. 2004 No. 345   |
| <b>Subpart 202.GD</b>                        |                                       |
| Subpart 202.GD of Part 202 ...               | ad. 2002 No. 321                      |
| <b>Subpart 202.GE</b>                        |                                       |
| Subpart 202.GE of Part 202....               | ad. 2002 No. 321<br>rs. 2010 No. 328  |
| R. 202.800 .....                             | ad. 2010 No. 328                      |
| Subpart 202.GF of Part 202....               | ad. 2002 No. 321<br>rep. 2010 No. 328 |
| <b>Subpart 202.GG</b>                        |                                       |
| Subpart 202.GG of Part 202 ...               | ad. 2002 No. 321<br>rs. 2010 No. 328  |
| R. 202.840 .....                             | ad. 2010 No. 328                      |
| R. 202.841 .....                             | ad. 2010 No. 328                      |
| R. 202.842 .....                             | ad. 2010 No. 328                      |
| <b>Subpart 202.GI</b>                        |                                       |
| Subpart 202.GI of Part 202.....              | ad. 2002 No. 321                      |
| <b>Subpart 202.HA</b>                        |                                       |
| Subpart 202.HA of Part 202....               | ad. 2002 No. 321<br>rs. 2003 No. 75   |
| R. 202.880 .....                             | ad. 2003 No. 75<br>am. 2004 No. 345   |
| <b>Subpart 202.HB</b>                        |                                       |
| Heading to Subpart 202.HB ...<br>of Part 202 | rs. 2004 No. 345                      |
| Subpart 202.HB of Part 202....               | ad. 2002 No. 321<br>rs. 2003 No. 75   |
| R. 202.900 .....                             | ad. 2003 No. 75<br>am. 2004 No. 345   |

**Table of Amendments**


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ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

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| <b>Provision affected</b>               | <b>How affected</b>   |
|---|---|
| <b>Subpart 202.HC</b>                   |   |
| Subpart 202.HC of Part 202....          | ad. 2002 No. 321  |
| <b>Subpart 202.HD</b>                   |   |
| Subpart 202.HD of Part 202....          | ad. 2002 No. 321  |
| Subpart 202.HJ of Part 202 ....         | ad. 2002 No. 321<br>rep. 2011 No. 77  |
| <b>Subpart 202.HL</b>                   |   |
| Subpart 202.HL of Part 202 ....         | ad. 2002 No. 321  |
| <b>Subpart 202.HM</b>                   |   |
| Subpart 202.HM of Part 202 ...          | ad. 2002 No. 321  |
| <b>Dictionary</b>                       |   |
| Dictionary.....                         | am. 1999 Nos. 166 and 262   |
| <b>Part 1</b>                           |   |
| Heading to Part 1 of.....<br>Dictionary | ad. 2000 No. 204  |
| Part 1 .....                            | am. 2000 Nos. 204 and 227; 2001 Nos. 34, 242 and 349; 2002 Nos. 167, 268, 321 and 350; 2003 Nos. 58, 189, 232, 240 and 365; 2004 Nos. 134, 222, 230 and 345; 2005 No. 321 and 323; 2007 No. 172; 2008 Nos. 192 and 274; 2009 Nos. 64 and 147; 2010 Nos. 277 and 328; 2011 Nos. 76, 77 and 265; 2012 No. 107 |
| <b>Part 2</b>                           |   |
| Part 2 .....                            | ad. 2000 No. 204<br>am. 2001 No. 349; 2003 No. 75; 2004 No. 230<br>rs. 2004 No. 345<br>am. 2009 No. 147; 2010 Nos. 277 and 328; 2011 Nos. 76 and 77   |
| <b>Part 3</b>                           |   |
| Part 3 .....                            | ad. 2010 No. 328<br>am. 2011 No. 77   |

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## **Note 2**

Subregulations 202.1–202.6 (renumbered 202.050–202.052, 202.170–202.172 by SR 2002 No. 321) — Item 19 of Schedule 1 of Statutory Rules 2002 No. 350 provides as follows:

**[19] Additional amendments — substitution of *CAR* for *CAR 1988***

The following provisions are amended by omitting each mention of ‘*CAR 1988*’ and inserting ‘*CAR*’:

- subregulations 202.1 (1) and (2)
- subregulations 202.2 (1) and (3)
- regulation 202.3
- regulation 202.4
- regulation 202.5
- regulation 202.6

The proposed amendments were misdescribed and are not incorporated in this compilation.

**Note 3**

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**Note 3**

*Civil Aviation Safety Amendment Regulations 2010 (No. 2)*  
(2010 No. 277)

The following amendment commences on 1 January 2016:

**Schedule 3**

**[1] Subregulation 90.255 (1), including the note**

*substitute*

- (1) This regulation applies to:
  - (a) a transport category aeroplane that:
    - (i) is an aeroplane to which this Subpart applies; and
    - (ii) was originally certificated on or after 1 January 1958; and
  - (b) a non-transport category aeroplane that:
    - (i) is an aeroplane to which this Subpart applies; and
    - (ii) was originally certificated on or after 1 January 1965.

As at 15 June 2012 the amendment is not incorporated in this compilation.

**Table A                      Application, saving or transitional provisions**

**Statutory Rules 2000 No. 227**

**4            Transitional**

Despite the amendments made by regulation 3 and Schedules 4 and 5, until the end of 31 August 2001 a requirement under either the *Civil Aviation Regulations 1998* or the *Civil Aviation Regulations 1988* for an authorised release certificate for an aircraft component is satisfied by an airworthiness tag/release note (within the meaning of the *Civil Aviation Regulations 1998* as in force immediately before the commencement of this regulation) for the component.