### NOTICE OF MAKING OF *CIVIL AVIATION ORDER 100.5AMENDMENT INSTRUMENT 2013 (NO. 2)*

**Notification under subregulation 5 (3) of the *Civil Aviation Regulations 1988***

For subregulation 5 (3) of the *Civil Aviation Regulations 1988 (****CAR 1988****)*,notice of the making of *Civil Aviation Order 100.5 Amendment Instrument 2013 (No. 2)* (the ***amendment instrument***) is given.

The amendment instrument substitutes a new subsection 9 into the *Civil Aviation Order 100.5 Amendment Instrument 2013 (No. 1)* (the ***earlier amendment***) to provide that the registered operator of an Australian aircraft must comply with the maintenance requirements identified in the aircraft’s approved design as one of the following: the Certification Maintenance Requirements (CMR); airworthiness limitations (AWL).

The amendment also defines ***CMR*** as the required scheduled maintenance tasks which were established during the design certification of an aircraft as operating limitations of the aircraft’s type certificate (TC) or supplemental type certificate (STC).

In paragraph 12.2 of the transitional provisions for determining when the first pressure altimeter tests were required under Airworthiness Directive AD/INST8 Amdt 4, and Airworthiness Directive AD/INST9 Amdt 6, the earlier amendment took account of one, but not the other, of *alternative interval requirements* of 24 months and 36 months (applicable depending on the specific “Requirements” of the test procedures adopted). This is corrected by inserting mentions of the relevant “Requirement 1” into the proposed paragraph 12.2 to reference the existing 24 month procedure, and by inserting mentions of “Requirement 2 a.” into a new proposed paragraph 12.2A to reference the omitted 36 month procedure.

The earlier amendment was to commence on 1 August 2013, and the amendment instrument commences immediately before it to make the changes described above, after registration on the Federal Register of Legislative Instruments (***FRLI***), FRLI number F2013L01486.

Under subregulation 38 (2) of CAR 1988, a maintenance direction is not binding on a person unless it has been served on that person.

Under subregulation 5 (3), a direction that is issued in Civil Aviation Orders is taken to have been served on a person to whom the direction relates on the day on which notice of the making of the Order is notified in the Gazette.

**[Signed A. Anastasi]**

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31 July 2013