

## **EXPLANATORY STATEMENT**

### **CIVIL AVIATION REGULATIONS 1988**

#### **CIVIL AVIATION ORDERS**

##### **REVOCATION AND REPLACEMENT OF SECTION 20.18**

###### **AIRCRAFT EQUIPMENT — BASIC OPERATIONAL REQUIREMENTS**

Subregulation 207 (2) of the *Civil Aviation Regulations 1988* (CAR 1988) provides that an Australian aircraft shall not be used in any class of operations unless it is fitted with such instruments and is fitted with or carries such equipment as the Civil Aviation Safety Authority (CASA) approves or directs.

Subregulation 5 (1) of CAR 1988 provides that whenever CASA is empowered by CAR 1988 to give directions or approvals, it may do so in Civil Aviation Orders (the Orders).

Section 20.18 of the Orders set out instruments and equipment required for Australian aircraft engaged in certain classes of operations. For instance, it covered the provision of flight and navigation equipment required for flight under the Instrument Flight Rules and the Visual Flight Rules. It also dealt with specific systems such as the Ground Proximity Warning System and the use of computers with the Global Positioning System.

This Order revokes and remakes section 20.18. This has been done as part of a scheme to review the Civil Aviation Orders, and, in particular, to ensure that they are in a position to meet the technical requirements of the *Legislative Instruments Act 2003* when it comes into effect on 1 January 2005. The remake does not involve any changes in existing law or policy in the Order. The Order is being remade solely for the purpose of ensuring compliance and consistency with the *Legislative Instruments Act 2003* when it commences on 1 January 2005. However, the opportunity has been taken to update outdated references to legislation in the Order and to introduce gender-neutral wording into the Order.

The Office of Regulation Review has stated that a Regulation Impact Statement is not necessary because the remake is of a minor or machinery of government nature.

The Order has been issued by the Director of Aviation Safety in accordance with subsection 84A (2) of the *Civil Aviation Act 1988*.

The Order came into effect on gazettal.

[Civil Aviation Amendment Order (No. R19) 2004]