



Civil Aviation (Fees) Amendment Regulations 2005 (No. 2)¹

Select Legislative Instrument 2005 No. 322

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Civil Aviation Act 1988*.

Dated 15 December 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

WARREN TRUSS
Minister for Transport and Regional Services

1 Name of Regulations

These Regulations are the *Civil Aviation (Fees) Amendment Regulations 2005 (No. 2)*.

2 Commencement

These Regulations commence on 1 January 2006.

3 Amendment of *Civil Aviation (Fees) Regulations 1995*

Schedule 1 amends the *Civil Aviation (Fees) Regulations 1995*.

4 Transitional

(1) In this regulation:

new Fees Regulations means the *Civil Aviation (Fees) Regulations 1995*, as amended by these Regulations.

old Fees Regulations means the *Civil Aviation (Fees) Regulations 1995*, as in force on 31 December 2005.

(2) In the case of a service for which, under the old Fees Regulations, a fixed fee was payable, if:

- (a) a person applied to CASA, before 1 January 2006, for CASA to provide the service; and
- (b) at the time of application, the person tendered payment of the amount of that fee;

no additional fee is payable by the person for the service even if the service is not provided before 1 January 2006.

(3) In the case of a service for which, under the old Fees Regulations, a fee computed at the hourly rate was payable, if:

- (a) a person applied to CASA, before 1 January 2006, for CASA to provide the service; and
- (b) before 1 January 2006, CASA estimated the total cost for the service, and informed the person in writing of the amount estimated; and

(c) provision of the service was not completed before 1 January 2006;

CASA must continue to charge that hourly rate for the service until the end of 31 March 2006.

(4) In the case of a service for which a fee is payable under the new Fees Regulations, but was not under the old Fees Regulations, if a person applied to CASA, before 1 January 2006, for CASA to provide the service, a fee is payable for that provision of the service only to the extent that the service is provided on or after 1 January 2006.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 4

substitute

3 Definitions

(1) In these Regulations:

Act means the *Civil Aviation Act 1988*.

CAR means the *Civil Aviation Regulations 1988*.

CASR means the *Civil Aviation Safety Regulations 1998*.

(2) An expression that is used in these Regulations and in CAR or CASR has the same meaning in these Regulations as in CAR or CASR, as the case requires.

4 Fees for aviation regulatory services

(1) The fee for a service specified in an item in Schedule 1 is:

(a) the amount specified in the item; or

(b) if the item contains 'HR' — for each provision of the service, the amount calculated by the formula:

$$Rate \times N.$$

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- (2) In the formula in subregulation (1):

Rate is:

- (a) in a case in which the interests of the safety of air navigation require that the service be provided by a senior CASA officer, or an officer with particular experience or qualifications — \$150.00; or
- (b) otherwise — \$130.00.

N is the total number of hours spent by CASA officers in that provision of the service.

Note In general, a service in a general aviation matter is likely to be charged for at \$130.00 per hour, and a service provided by an air transport Flying Operations Inspector at \$150.00 per hour.

- (3) For the purposes of applying the formula in paragraph (1) (b), if the total time spent by CASA officers in providing the relevant service in a particular case is not a whole number of quarter-hours, the total time is to be rounded down to the next lower number of quarter-hours.
- (4) If:
- (a) a fee is specified in Schedule 1 for the processing and consideration of an application for something; but
- (b) no fee is specified in that Schedule for the processing and consideration of an application for its renewal or variation; the fee referred to in paragraph (a) is payable for the processing and consideration of an application for the renewal or variation.
- (5) In subregulation (4), a reference to a variation does not include a minor and merely formal change such as the recording of a change of postal address.
- (6) If the provision of a service by CASA requires a CASA officer or a person on CASA's behalf to travel, there is an additional fee for the provision of the service equal to the reasonable cost of that travel and any reasonably necessary meals, accommodation and incidental expenses for the officer or person.
- (7) If the provision of a service by CASA requires CASA to pay a fee or charge, there is an additional fee for the provision of the service equal to the fee or charge paid or payable by CASA.

4A Effect of items in Part 1 of Schedule 1

Despite anything in Part 1 of Schedule 1, if a CASA officer is appointed as an authorised person, or a delegate of CASA, for any purpose other than for his or her official duties, he or she must pay the fee specified in the relevant item for the appointment or delegation.

4B Consultancy services

Nothing in regulation 4 or Schedule 1 prevents CASA from providing consultancy services under paragraph 9 (3) (f) of the Act on any terms agreed between it and the person to whom the services are to be provided.

4C Sale of goods etc

Nothing in regulation 4 or Schedule 1 prevents CASA from setting a reasonable price for goods that it offers for sale in the course of performing its functions.

[2] Schedule 1

substitute

Schedule 1 Fees for aviation regulatory services

(regulation 4)

Part 1 Appointments and delegations

Item	Service	Fee
1.1	Appointment of a person (not an officer of CASA) as an authorised person for CAR — processing and consideration of application	HR
1.2	Appointment of a person (not an officer of CASA) as a delegate of CASA for CAR — processing and consideration of application	HR

Item	Service	Fee
1.3	Appointment of a person as an authorised person (not an officer of CASA) for CASR — processing and consideration of application	HR
1.4	Appointment of a person (not an officer of CASA) as a delegate of CASA for CASR — processing and consideration of application	HR

Part 2 Certificates of approval, aircraft maintenance engineer licences, airworthiness authorities and aircraft welding authorities

Item	Service	Fee
2.1	Issue of a certificate of approval — processing and consideration of application	HR
2.2	Examination in a core or specific group subject to qualify for an aircraft maintenance engineer licence	\$130.00
2.3	Examination in a part of a specific type subject to qualify for an aircraft maintenance engineer licence	\$260.00
2.4	Examination in a technical competency category to qualify for an aircraft maintenance engineer licence	\$130.00
2.5	The re-marking of a core or specific group subject examination script in a LAME examination	\$130.00
2.6	The critique of an essay, or a multiple-choice answer paper, in a LAME examination	HR
2.7	Issue of an aircraft maintenance engineer licence — processing of application	\$65.00
2.8	Issue of a rating on an aircraft maintenance engineer licence based on the applicant's practical experience, per category — consideration of application	\$520.00
2.9	Issue of a second or subsequent rating within a category on an aircraft maintenance engineer licence based on a schedule of experience — consideration of application	\$130.00

Item	Service	Fee
2.10	Issue of a rating on an aircraft maintenance engineer licence based on practical consolidation training or an accelerated training program — consideration of application	\$260.00
2.11	Issue of a rating on an aircraft maintenance engineer licence based on the applicant's overseas aircraft maintenance engineer licence — consideration of application	\$260.00
2.12	Variation or renewal of a licence or rating referred to in any of items 2.7 to 2.11	HR
2.13	Issue of an airworthiness authority — processing and consideration of application	HR
2.14	Issue of an aircraft welding authority — processing and consideration of application	HR
2.15	Written examination to qualify for a non-destructive testing authority	\$260.00
2.16	Oral or practical examination to qualify for a non-destructive testing authority	HR
2.17	Examination to qualify for a welding authority or weight control authority	HR

Part 3 Maintenance

Item	Service	Fee
3.1	Approval of an aircraft component, or of the repair, or the design of a modification, of an aircraft or aircraft component — processing and consideration of application	HR
3.2	Approval of a permissible unserviceability — processing and consideration of application	HR
3.3	Approval of a minimum equipment list — processing and consideration of application	HR
3.4	Approval of a system of maintenance or a maintenance control manual — processing and consideration of application	HR

Item	Service	Fee
3.5	Approval of a maintenance schedule — processing and consideration of application	HR
3.6	Authorisation for a person to carry out maintenance — processing and consideration of application	HR
3.7	Approval of a system of certification of completion of maintenance for an Australian aircraft in Australian territory — processing and consideration of application	HR
3.8	Authorisation of a person to certify maintenance on an Australian aircraft overseas — processing and consideration of application	HR
3.9	Approval of instructions on how maintenance is to be carried out	HR
3.10	Grant of an exemption from, or variation of, a requirement under regulation 42ZR of CAR — processing and consideration of application	HR
3.11	Approval of a person's appointment as a maintenance controller — processing and consideration of application	HR
3.12	Approval for the use of an alternative to a log book or a section of a log book — processing and consideration of application	HR

Part 4 Flight manuals

Item	Service	Fee
4.1	Preparing a flight manual, part of a flight manual, or an alteration of a flight manual	HR

Part 5 Qualifications of flight crew

Item	Service	Fee
5.1	Issue of a flight radiotelephone operator licence — processing and consideration of application	\$65.00
5.2	Issue of a student pilot licence — processing and consideration of application	\$65.00

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Item	Service	Fee
5.3	Issue of a restricted flight engineer licence — processing and consideration of application	\$130.00
5.4	Approval of a pilot to give flying training — processing and consideration of application	HR
5.5	Approval to give conversion training — processing and consideration of application	HR
5.6	Appointment as an airship instructor — processing and consideration of application	HR
5.7	Grant of an exemption from any of the requirements of regulation 5.42 of CAR in relation to a flight test — processing and consideration of application	\$65.00
5.8	Approval of a person's appointment as the chief flying instructor of a flying school — processing and consideration of application	HR
5.9	Issue of a certificate of validation for private operations, and the first rating or endorsement on such a certificate — processing and consideration of application	\$260.00
5.10	Issue of a certificate of validation for commercial operations, and the first rating or endorsement on such a certificate — processing and consideration of application	\$260.00
5.11	Issue of a rating on a certificate of validation (other than the first rating on the certificate) — processing and consideration of application	\$260.00
5.12	Issue of an aircraft endorsement on a certificate of validation (other than the first endorsement on the certificate) — processing and consideration of application	\$260.00
5.13	Private pilot licence examination	\$65.00
5.14	Commercial pilot licence examination, per subject	\$65.00
5.15	Air transport pilot licence examination, per subject	\$65.00
5.16	Student flight engineer licence examination, per subject	\$65.00
5.17	Examination for a rating	\$65.00

Item	Service	Fee
5.18	The re-assessment of a flight crew examination result	\$130.00
5.19	Flight test for a flight crew licence, rating or endorsement	HR
5.20	Issue of a private pilot licence and a flight radiotelephone operator licence — processing and consideration of application	\$65.00
5.21	Issue of a commercial pilot licence and a flight radiotelephone operator licence) — processing and consideration of application	\$130.00
5.22	Issue of an air transport pilot licence (including a flight radiotelephone operator licence) — processing and consideration of application	\$130.00
5.23	Issue of a flight crew rating — processing and consideration of application	\$130.00
5.24	Issue of an aircraft endorsement on a flight crew licence — processing and consideration of application	\$130.00
5.25	Issue of an aircraft endorsement on the basis of an overseas endorsement — processing and consideration of application	\$130.00
5.26	Examination for qualification as a check flight engineer	HR
5.27	Issue of a flight engineer licence — processing and consideration of application	\$130.00
5.28	Issue of a special pilot licence — processing and consideration of application	\$260.00
5.29	Endorsement on a special pilot licence — processing and consideration of application	\$130.00
5.30	Approval to conduct an emergency procedures proficiency test — processing and consideration of application	HR
5.31	Application to be approved as proficient to conduct sling load operation training — processing and consideration of application and assessment of demonstration of proficiency	HR
5.32	Issue of a mustering approval — processing and consideration of application	HR

Item	Service	Fee
5.33	Application to be approved as proficient to conduct winching or rappelling operation training — processing and consideration of application and assessment of demonstration of proficiency	HR
5.34	Approval of a pilot to conduct direct supervision as an approved agricultural (helicopter) pilot — processing and consideration of application	HR
5.35	Processing and assessment of an application for an exemption from compliance with CAO 40.1.7.4.2 (a) — processing and consideration of application	HR

Part 6 Air operator certification

Item	Service	Fee
6.1	Issue of an AOC or an operating certificate — processing and consideration of application	HR

Part 7 Radio systems for use in, or in connection with, aircraft

Item	Service	Fee
7.1	Issue of an aircraft radiotelephone operator certificate of proficiency — processing and consideration of application	\$65.00

Part 8 Aircraft operations generally

Item	Service	Fee
8.1	Authorisation for low flying or acrobatic flying over a training area — processing and consideration of application	HR
8.2	Permit to carry a firearm on an aircraft — processing and consideration of application	\$390.00
8.3	Permit to discharge a firearm from an aircraft — processing and consideration of application	HR

Item	Service	Fee
8.4	Permission for an aircraft to tow something — processing and consideration of application	HR
8.5	Approval to drop articles from an aircraft in flight, or a supplementary permission — processing and consideration of application	\$390.00
8.6	Permit to undertake low level aerobatics — processing and consideration of application	HR
8.7	Approval to fly over a regatta, race meeting or public gathering — processing and consideration of application	HR
8.8	Permission to fly lower than the prescribed height — processing and consideration of application	HR
8.9	Issue of a formation flying approval — processing and consideration of application	HR
8.10	Permission to fly an aircraft at night under V.F.R. lower than the prescribed height — processing and consideration of application	HR
8.11	RVSM airworthiness approval — processing and consideration of application	HR
8.12	RVSM operational approval — processing and consideration of application	HR
8.13	Assessment of a training program or training course for maintenance personnel	HR
8.14	Approval of a body as a training and checking organisation — processing and consideration of application	HR
8.15	Grant of an exemption from a requirement for a route qualification to act as pilot in command of an RPT service — processing and consideration of application	HR
8.16	Authorisation for a person to occupy a control seat — processing and consideration of application	\$130.00
8.17	Approval for a person who does not hold a pilot's licence to taxi an aircraft — processing and consideration of application	\$130.00

Item	Service	Fee
8.18	Approval for a person who does not hold a pilot's licence to start and run aircraft engines — processing and consideration of application	\$65.00
8.19	Exemption from minimum runway width instructions — processing and consideration of application	HR
8.20	Permit to carry a person on or in part of an aircraft not designed for passengers — processing and consideration of application	\$390.00
8.21	Permit to carry a person on an aircraft's wings, or, undercarriage, or part not designed for accommodation of crew or passengers; or on anything attached to the aircraft — processing and consideration of application	HR
8.22	Directions for a type of safety harness to be worn in place of a seat belt — processing and consideration of application	\$390.00
8.23	Approval of operation with an exit or passageway that is not kept free from obstruction — processing and consideration of application	HR
8.24	Permit to carry animals on an aircraft — processing and consideration of application	\$260.00
8.25	Approval to carry a person in a seat with dual controls on an RPT operation — processing and consideration of application	HR
8.26	Approval of an RNP operation — processing and consideration of application	HR
8.27	Approval for the conduct of an air display — processing and consideration of application	HR
8.28	Grant of an exemption against flight and duty time limits — processing and consideration of application	HR
8.29	Approval of a person as a check pilot or a training and checking manager — processing and consideration of application	HR
8.30	Approval to enter into a charter substitution arrangement — processing and consideration of application	HR

Item	Service	Fee
8.31	Approval of a person's appointment as chief pilot — processing and consideration of application	HR
8.32	Permission to employ a pilot who does not have the relevant qualifications set out in CAO 82.3 appendix 4 if the operator has established a satisfactory course of training — processing and consideration of application	HR
8.33	Permission to fly manned balloons and hot air airships in private operations for recreational purposes otherwise than in accordance with CAO 95.54.4.2 — processing and consideration of application	HR

Part 9 Aircraft certification and related matters

Item	Service	Fee
9.1	Issue of a type certificate, a supplemental type certificate or a type acceptance certificate — processing and consideration of application	HR
9.2	Approval of a change in a type design — processing and consideration of application	HR
9.3	Issue of a production certificate — processing and consideration of application	HR
9.4	Approval of a production inspection system — processing and consideration of application	HR
9.5	Approval of a change or changes in a quality system — processing and consideration of application	HR
9.6	Certificate of airworthiness — processing and consideration of application	HR
9.7	Provisional or special certificate of airworthiness — processing and consideration of application	HR
9.8	Export airworthiness approval — processing and consideration of application	HR
9.9	Validation of a foreign certificate of airworthiness — processing and consideration of application	HR

Item	Service	Fee
9.10	Validation of a foreign export certificate of airworthiness — processing and consideration of application	HR
9.11	Issue of an experimental certificate — processing and consideration of application	HR
9.12	Replacement of a certificate of airworthiness that has been lost or destroyed — processing and consideration of application	\$130.00
9.13	Issue of a special flight permit — processing and consideration of application	HR
9.14	Issue of a delegation option authorisation — processing and consideration of application	HR
9.15	Issue of an APMA — processing and consideration of application	HR
9.16	Issue of an ATSO authorisation — processing and consideration of application	HR

Part 10 Airworthiness directives

Item	Service	Fee
10.1	Grant of an exclusion from the operation of an airworthiness directive — processing and consideration of application	HR
10.2	Review of the operation of an airworthiness directive — processing and consideration of application	HR

Part 11 Display of nationality and registration marks and aircraft registration identification plates

Item	Service	Fee
11.1	Giving a direction about where markings are to be placed on an aircraft with a special configuration	\$260.00
11.2	Approval of the removal of, or a change to, the markings on an aircraft registration identification plate — processing and consideration of application	\$260.00

Part 12 Registration of aircraft and related matters

Item	Service	Fee
12.1	Registration of an aircraft — processing and consideration of application	\$130.00
12.2	Recording an aircraft's registered operator, or a change in an aircraft's registered operator	\$65.00
12.3	Recording the transfer of the ownership of an aircraft	\$130.00
12.4	Replacement of a certificate of registration that has been lost, stolen or destroyed	\$130.00
12.5	Reservation of a registration mark	\$65.00
12.6	Change of a registration mark — processing and consideration of application	\$130.00
12.7	Giving a direction about the location of an aircraft registration identification plate	\$260.00
12.8	Assignment of a dealer's mark — processing and consideration of application	\$130.00
12.9	Replacement of a certificate of assignment of a dealer's mark	\$65.00
12.10	Revocation of the assignment of a dealer's mark — processing and consideration of application	\$65.00

Part 13 Synthetic training devices

Item	Service	Fee
13.1	Initial evaluation and qualification of a synthetic flight trainer — processing and consideration of application	HR
13.2	Recurrent evaluation of a qualified flight simulator or qualified flight training device	HR
13.3	Approval of a person as the user of a qualified flight simulator or qualified flight training device in a training and checking program — processing and consideration of application	HR
13.4	Special evaluation of a flight simulator or qualified flight training device regarding proposed modifications	HR
13.5	Special evaluation of a qualified flight simulator or qualified flight training device regarding its reactivation	HR
13.6	Approval of plan of transfer of flight simulator or qualified flight training device on change of operator — processing and consideration of application	HR

Part 14 Air traffic services personnel licensing

Item	Service	Fee
14.1	Issue of an air traffic controller licence — processing and consideration of application	\$65.00
14.2	Issue of a rating on an air traffic controller licence — processing and consideration of application	\$65.00
14.3	Replacement of an air traffic controller licence that has been lost, stolen or destroyed	\$65.00

Part 15 Medical

Item	Service	Fee
15.1	Issue of a class 1 medical certificate — processing and consideration of application	\$130.00
15.2	Renewal of a class 1 medical certificate — processing and consideration of application	\$130.00
15.3	Issue of a class 2 medical certificate — processing and consideration of application	\$130.00
15.4	Renewal of a class 2 medical certificate — processing and consideration of application	\$130.00
15.5	Issue of a class 3 medical certificate — processing and consideration of application	\$130.00
15.6	Renewal of a class 3 medical certificate — processing and consideration of application	\$130.00

Part 16 Dangerous goods

Item	Service	Fee
16.1	Approval of a dangerous goods training course for employees — processing and consideration of application	HR
16.2	Grant of an exclusion under Part 92 of CASR — processing and consideration of application	HR
16.3	Grant of a permission under s 23 of the Act — processing and consideration of application	HR
16.4	Approval to give instruction as part of an approved training course — processing and consideration of application	HR
16.5	Grant of an exclusion under regulation 92.080 of CASR (that is, from compliance with the requirements about dangerous goods statements) — processing and consideration of application	HR

Part 17 Unmanned aircraft and rockets

Item	Service	Fee
17.1	Approval of an area for the purposes of operation of unmanned aircraft or rockets — processing and consideration of application	HR
17.2	Approval to operate unmanned aircraft near a non-controlled aerodrome — processing and consideration of application	HR
17.3	Approval to release small balloons — processing and consideration of application	HR
17.4	Approval of operation of a large UAV — processing and consideration of application	HR
17.5	Certification of a person as an UAV controller — processing and consideration of application	HR
17.6	Certification of a person as a UAV operator — processing and consideration of application	HR
17.7	Permission to launch a rocket near an aerodrome — processing and consideration of application	HR
17.8	Approval of the use, in a firework display, of a projectile capable of reaching more than 400 feet above ground level — processing and consideration of application	HR
17.9	Approval to operate a firework display in or near a non-controlled aerodrome — processing and consideration of application	HR

Part 18 Aerodromes

Item	Service	Fee
18.1	Grant of the exemption of an aerodrome from compliance with Part 139 or standards in MOS Part 139 — processing and consideration of application	HR
18.2	Certification of an aerodrome — processing and consideration of application	HR
18.3	Temporary certification of an aerodrome — processing and consideration of application	HR

Item	Service	Fee
18.4	Approval of an aerodrome lighting system not specified in MOS Part 139 — processing and consideration of application	HR
18.5	Approval of the extension of the period for conducting an emergency exercise — processing and consideration of application	HR
18.6	Registration of an aerodrome — processing and consideration of application	HR
18.7	Approval of a person to conduct aerodrome safety inspections — processing and consideration of application	HR
18.8	The annual obstacle survey of an aerodrome	HR
18.9	Certification of an air/ground radio service — processing and consideration of application	HR
18.10	Certification of an air/ground radio service operator — processing and consideration of application	HR
18.11	Certification of a person or an organisation as an ARFFS provider — processing and consideration of application	HR

Part 19 Air traffic service training providers

Item	Service	Fee
19.1	Approval as an ATS training provider — processing and consideration of application	HR

Part 20 Aeronautical telecommunication service and radionavigation service providers

Item	Service	Fee
20.1	Approval as a service provider — processing and consideration of application	HR

Part 21 Air traffic service providers

Item	Service	Fee
21.1	Approval as an ATS provider — processing and consideration of application	HR

Part 22 Instrument flight procedure design

Item	Service	Fee
22.1	Issue of a procedure design certificate — processing and consideration of application	HR
22.2	Validation of a terminal instrument flight procedure — processing and assessment of an application for the validation, and the provision of a pilot for the validation	HR
22.3	Approval of a person's appointment as chief designer — processing and consideration of application	HR
22.4	Approval of a training course to qualify as a qualified designer — processing and consideration of application	HR
22.5	Issue of a procedure design authorisation — processing and consideration of application	HR

Part 23 Exemptions

Item	Service	Fee
23.1	Grant of an exemption from a provision of CAR for which no other fee is specified in this Schedule — processing and consideration of application	HR
23.2	Grant of an exemption from a provision of CASR for which no other fee is specified in this Schedule — processing and consideration of application	HR
23.3	Grant of an exemption, under a provision of the Civil Aviation Orders not elsewhere mentioned in this Schedule, from a provision of those Orders — processing and consideration of application	HR

Part 24 Other miscellaneous services

Item	Service	Fee
24.1	Approval (under the <i>Civil Aviation (Buildings Control) Regulations 1988</i>) to construct a building or structure — processing and consideration of application	HR
24.2	Copying (otherwise than under the <i>Freedom of Information Act 1982</i>) or replacing a document not otherwise mentioned in this Schedule that was issued by CASA	HR

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.