

Explanatory Statement

Civil Aviation Safety Regulations 1998

Part 147 Manual of Standards Amendment Instrument 2011 (No. 2)

Purpose

The Part 147 Manual of Standards (the *MOS*) sets out the requirements to be met by an organisation holding an approval issued under Part 147 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)* to conduct training and assessment.

Background

As a matter of safety policy, CASA has adopted the regulatory approach to maintenance promulgated by the European Aviation Safety Agency (*EASA*). The specifications set out in the *MOS* have been developed to be closely aligned with *EASA* Part 147.

Legislation — the Act

Under subsection 98 (1) of the *Civil Aviation Act 1988 (the Act)*, the Governor-General may make regulations for the Act and in the interests of the safety of air navigation.

Legislation — CASR Part 147

These regulations are contained in *CASR 1998*. In particular, Part 147 of *CASR 1998 (CASR Part 147)*, Continuing airworthiness – maintenance training organisations (*MTO*), sets out matters, including requirements for approval as an *MTO* and requirements that apply to an *MTO*.

Under subsection 98 (5A) of the Act, the regulations may empower CASA to issue instruments in relation to the maintenance or airworthiness of aircraft.

To this end, under regulation 147.015 of *CASR 1998*, CASA is empowered to issue a *MOS* for *CASR Part 147*, setting out matters affecting the airworthiness or maintenance of aircraft.

This amendment corrects minor typographical errors and inconsistencies.

Consultation

Consultation under section 17 of *Legislative Instruments Act 2003* has not been undertaken this time as appropriate and extensive consultation has already been undertaken by CASA in the development of *CASR Part 147* and the *MOS*. CASA used various consultation methods, including use of existing Standards Consultative Committee and Maintenance Sub-committee mechanisms, website content, road shows in a variety of locations throughout Australia, and the issue of a Notice of Proposed Rule Making.

Office of Best Practice Regulation (OBPR)

OBPR has advised that no new Regulation Impact Statement (*RIS*) is required as the *RIS* prepared for the maintenance suite (*CASR* Parts 42, 66, 145 and 147) extends to this amendment which is of machinery nature.

Making and commencement

The *MOS* commences on the day after registration.

The instrument has been made by the Director of Aviation Safety, on behalf of CASA, in accordance with subsection 73 (2) of the Act.

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