



Civil Aviation Legislation Amendment (Airworthiness and Other Matters—2015 Measures No. 1) Regulation 2015

Select Legislative Instrument No. 245, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 10 December 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Warren Truss
Minister for Infrastructure and Regional Development

OPC61504 - A

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1 Name

This is the *Civil Aviation Legislation Amendment (Airworthiness and Other Matters—2015 Measures No. 1) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	15 December 2015
2. Schedule 1	The day after this instrument is registered.	15 December 2015
3. Schedule 2	1 June 2016.	1 June 2016
4. Schedule 3	4 July 2016.	4 July 2016

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Civil Aviation Act 1988*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

2 *Civil Aviation Legislation Amendment (Airworthiness and Other
Matters—2015 Measures No. 1) Regulation 2015* No. 245, 2015
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Schedule 1—Amendments commencing day after registration

Civil Aviation Regulations 1988

1 Paragraphs (4)(a), (b), (c) and (d) of Section 5 of Schedule 5

Omit “within the limits specified in section 108.34 of the Civil Aviation Orders” (wherever occurring), substitute “in accordance with the approved maintenance data for the system”.

2 Paragraph (4)(g) of Section 5 of Schedule 5

Repeal the paragraph.

3 Paragraph (4)(k) of Section 5 of Schedule 5

Repeal the paragraph.

Civil Aviation Safety Amendment Regulations 2010 (No. 2)

4 Paragraph 2(b)

Omit “2;”, substitute “2.”.

5 Paragraph 2(c)

Repeal the paragraph.

6 Regulation 3

Omit “to 3”, substitute “and 2”.

7 Schedule 3

Repeal the Schedule.

Civil Aviation Safety Regulations 1998

8 Subregulation 60.020(2) (table 60.020-2, items 5 and 6)

Omit “JAA”, substitute “EASA”.

9 Subregulation 60.020(2) (at the end of table 60.020-2)

Add:

7 EASA Level 3

10 Subregulation 90.255(1) (note)

Repeal the note.

4 *Civil Aviation Legislation Amendment (Airworthiness and Other Matters—2015 Measures No. 1) Regulation 2015* No. 245, 2015
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Schedule 2—Amendments commencing 1 June 2016

Civil Aviation Regulations 1988

1 Subparagraph 42U(1)(a)(ib)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

2 Sub-subparagraph 42W(2)(b)(iii)(D)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

3 Subparagraph 42W(4)(c)(ib)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

4 Subregulation 42ZQ(2) (subparagraph (c)(ib) of the definition of *related document*)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

Civil Aviation Safety Regulations 1998

5 Regulation 11.080 (paragraph (d) of the note)

Omit “under”, substitute “mentioned in”.

6 Paragraph 21.003(2B)(b)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

7 Subparagraph 21.006A(1)(b)(iv)

Omit “of a design for the modification of, or a repair to, the aircraft in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

8 At the end of Subpart 21.A

Add:

21.010D Issue of Manual of Standards for Part 21

For subsection 98(5A) of the Act, CASA may issue a Manual of Standards for this Part prescribing matters:

- (a) required or permitted by these Regulations to be prescribed by the Part 21 Manual of Standards; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.

Note: A Manual of Standards is a legislative instrument: see subsection 98(5AA) of the Act.

9 Paragraph 21.017(1)(a)

After “35,” insert “and of the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

10 Subregulation 21.017(2)

After “35” insert “, and of the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

11 Subregulation 21.017(2)

Omit “those Parts”, substitute “those airworthiness standards”.

12 Subregulation 21.017(5)

After “to these Regulations”, insert “or the Part 21 Manual of Standards”.

13 Subregulations 21.017(6) and (7)

After “26”, insert “and the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

14 Subregulation 21.027(3)

Omit all the words after “met the”, substitute:

airworthiness standards:

- (a) mentioned in Part 33 or 35; or
- (b) prescribed by the Part 21 Manual of Standards.

15 Paragraph 21.031(1)(c)

Repeal the paragraph, substitute:

- (c) the airworthiness limitations section of the instructions for continued airworthiness:
 - (i) as required by the airworthiness standards mentioned in Parts 22, 23, 25, 26, 27, 29, 31, 32, 33 and 35 and the airworthiness standards prescribed by the Part 21 Manual of Standards, or as otherwise required by CASA; or
 - (ii) for special classes of aircraft mentioned in subregulation 21.017(2)—as specified in the applicable airworthiness criteria;

16 Paragraph 21.031(1)(d)

After “35”, insert “, and the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

17 Paragraph 21.031(2)(c)

Repeal the paragraph, substitute:

- (c) the airworthiness limitations section of the instructions for continued airworthiness:
 - (i) as required by the airworthiness standards mentioned in Parts 22, 23, 25, 26, 27, 29, 31, 32, 33 and 35 and the airworthiness standards prescribed by the Part 21 Manual of Standards, or as otherwise required by CASA; or
 - (ii) for special classes of aircraft mentioned in subregulation 21.017(2)—as specified in the applicable airworthiness criteria;

18 Paragraph 21.031(2)(d)

After “35,”, insert “and the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

19 At the end of paragraph 21.035(3)(b)

Add “or prescribed by the Part 21 Manual of Standards”.

20 Subregulation 21.050(2)

After “35,” insert “and the airworthiness standards prescribed by the Part 21 Manual of Standards,”.

21 Subregulation 21.101(1)

Omit “regulations” (wherever occurring), substitute “airworthiness standards”.

22 Subregulation 21.101(2)

Omit “regulations” (first occurring), substitute “airworthiness standards”.

23 Paragraphs 21.101(2)(a) and (b)

Omit “regulations mentioned in the type certificate for the aircraft, aircraft engine or propeller”, substitute “airworthiness standards mentioned in the type certificate”.

24 Regulation 21.132 (subparagraph (b)(iv) of the definition of *product design*)

Omit “accordance with a method specified in a legislative instrument issued under”, substitute “an approval mentioned in”.

25 Regulation 21.172 (paragraph (b) of the definition of *LSA standards*)

Repeal the paragraph, substitute:

- (b) the standards prescribed by the Part 21 Manual of Standards for the design, performance or continuing airworthiness of light sport aircraft.

26 Regulation 21.172 (notes at the end of the definition of *LSA standards*)

Repeal the notes, substitute:

Note: The standards issued by the American Society for Testing and Materials could in 2015 be viewed on the society’s website (<http://www.astm.com>).

27 Subparagraphs 21.184(4)(a)(ii) and 21.184A(2)(a)(ii)

Omit “section 101.55 of the Civil Aviation Orders”, substitute “the requirements prescribed by the Part 21 Manual of Standards”.

28 Paragraph 21.247(1)(b)

Omit “21.263(c)”, substitute “21.263(1)(c)”.

29 Subregulation 21.248(1) (paragraph (f) of the example)

Omit “granted in accordance with a legislative instrument issued under”, substitute “mentioned in”.

30 Paragraph 21.258(1)(a)

Omit “21.263(c)(iii) or (iv)”, substitute “21.263(1)(c)(iii) or (iv)”.

31 Regulation 21.263

Before “An”, insert “(1)”.

32 At the end of regulation 21.263

Add:

- (2) The qualifications, experience and knowledge mentioned in paragraph (1)(d) must meet the requirements prescribed by the Part 21 Manual of Standards.

33 Paragraph 21.269(5)(b)

Repeal the paragraph, substitute:

- (b) be carried out by an individual who has the knowledge, experience and qualifications:
 - (i) required by the organisation’s exposition for individuals carrying out the design activity; or
 - (ii) prescribed by the Part 21 Manual of Standards.

34 After subregulation 21.269(5)

Insert:

- (5A) The individual mentioned in paragraph (5)(b) must not be the individual who carried out the design activity for the organisation.

35 At the end of regulation 21.269

Add:

- (7) Subregulation (4) does not apply in relation to a kind of design activity prescribed by the Part 21 Manual of Standards.

36 Subregulation 21.270(1)(paragraph (f) of the example)

Omit “granted in accordance with a legislative instrument issued under”, substitute “mentioned in”.

37 After paragraph 21.305(d)

Insert:

- (da) in a manner prescribed by the Part 21 Manual of Standards;
or

38 Subregulation 21.305A(2)

Repeal the subregulation, substitute:

- (2) CASA, or the authorised person or relevant approved design organisation, must grant the approval if satisfied that:
 - (a) doing so would be unlikely to have an adverse effect on aviation safety; and
 - (b) the material, part, process or appliance meets the requirements prescribed by the Part 21 Manual of Standards.

39 Paragraph 21.400(d)

Repeal the paragraph, substitute:

- (d) provides for approvals of certain designs to be granted in accordance with the Part 21 Manual of Standards.

40 Paragraphs 21.405(3)(a) and (b)

Repeal the paragraphs, substitute:

- (a) both:
 - (i) the airworthiness standards that applied to the issue of the certificate, or a specified later version of those standards; and
 - (ii) any other standards the applicant considers to be directly related to those standards; or
- (b) the standards prescribed by the Part 21 Manual of Standards.

41 Paragraphs 21.405(4)(a) and (b)

Repeal the paragraphs, substitute:

- (a) both:
 - (i) the airworthiness standards that applied to the original certification (however described) of the aircraft, aircraft

- engine, propeller or appliance, or a specified later version of those standards; and
- (ii) any other standards the applicant considers to be directly related to those standards; or
- (b) the standards prescribed by the Part 21 Manual of Standards.

42 Paragraph 21.448(b)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

43 Regulation 21.475

Repeal the regulation, substitute:

21.475 Part 21 Manual of Standards may prescribe alternative method of approval of modification and repair designs

An approval of a design for the modification of, or a repair to, an aircraft, aircraft engine, propeller or appliance may be granted in accordance with a method prescribed by the Part 21 Manual of Standards.

44 Paragraph 21.502(1)(b)

After “use”, insert “, meets the requirements prescribed by the Part 21 Manual of Standards”.

45 At the end of subregulation 21.502A(3)

Add “if satisfied that the material, part or appliance meets the requirements prescribed by the Part 21 Manual of Standards”.

46 Paragraph 21.601(2)(a)

Repeal the paragraph, substitute:

- (a) an *ATSO* (short for Australian Technical Standard Order) is a minimum performance standard prescribed by the Part 21 Manual of Standards for specified articles used on civil aircraft; and

47 After subregulation 21.601(2)

Insert:

- (3) For the purpose of this Subpart, *articles* means materials, parts, processes, or appliances.

48 Paragraph 21.607(1)(b)

Repeal the paragraph, substitute:

- (b) all tests and inspections required under these Regulations, or the applicable ATSO, ETSO or TSO, are conducted, and a quality system is established and maintained that:
- (i) is adequate to ensure that the article meets the requirements of paragraph (a) and is in a condition for safe operation; and
 - (ii) meets the requirements prescribed by the Part 21 Manual of Standards; and

49 Subregulation 42.015(1) (subparagraphs (a)(v) and (b)(iii) of the definition of *Part 21 approval*)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

50 Subparagraph 42.270(1)(f)(ii)

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

51 Part 1 of the Dictionary (definition of *ATSO*)

Repeal the definition, substitute:

ATSO: see paragraph 21.601(2)(a).

52 Part 1 of the Dictionary

Insert:

Part 21 Manual of Standards means the Manual of Standards issued by CASA under regulation 21.010D.

53 Subparagraph 10(2)(b)(ii) of Part 3 of the Dictionary

Omit “granted in accordance with a method specified in a legislative instrument issued under”, substitute “mentioned in”.

Schedule 3—Amendments relating to Part 45

Civil Aviation Regulations 1988

1 Part 4D (heading)

Repeal the heading, substitute:

Part 4D—Removal or alteration of data plates etc.

2 Regulation 61

Repeal the regulation.

Civil Aviation Safety Regulations 1998

3 Part 45

Repeal the Part, substitute:

Part 45—Display of nationality marks, registration marks and aircraft registration identification plates

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Subpart 45.A—Preliminary

45.005 Application of Part 45

This Part applies in relation to the operation of an Australian aircraft.

45.010 Key definitions for Part 45

In these Regulations:

aircraft registration identification plate, for an aircraft, means a plate displaying the aircraft's markings.

Australian nationality mark means the capital letters "VH".

character means a letter, a digit or a hyphen.

exhibition means an air show or a film or television production.

45.015 Meaning of *markings* and *set of markings*

- (1) *Markings*, for an aircraft, are the Australian nationality mark and the aircraft's registration mark, in that order, connected by a hyphen.

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- (2) However, if the aircraft is a registered glider or a powered sailplane operating in Australian territory, and the first letter of the aircraft's registration mark is "G", the aircraft's markings need not include:
- (a) that first letter; or
 - (b) the Australian nationality mark.
- (3) A *set of markings*, for an aircraft, is an instance of the aircraft's markings.

45.020 References to aircraft operating for an exhibition

In this Part, a reference to an aircraft operating for an exhibition includes a reference to the aircraft:

- (a) flying in the exhibition, or in a practice or test flight for the exhibition; or
- (b) flying between locations where the aircraft is participating in the exhibition or in the practice or test flight; or
- (c) flying between a location where the aircraft is participating in the exhibition, or in the practice or test flight, and the aircraft's base of operations.

45.025 Issue of Manual of Standards for Part 45

For subsection 38(1) of the Act, CASA may issue a Manual of Standards for this Part prescribing matters:

- (a) required or permitted by these Regulations to be prescribed by the Part 45 Manual of Standards; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.

Note: The Manual of Standards is a legislative instrument: see subsection 38(1) of the Act.

45.030 Registration holder to provide copies of approvals under this Part to registered operator

- (1) This regulation applies if:
- (a) the registration holder of an aircraft holds an approval under this Part for the aircraft; and
 - (b) the registration holder is not the registered operator of the aircraft.

- (2) The registration holder contravenes this subregulation if:
 - (a) the aircraft is operated; and
 - (b) the registration holder has not provided a copy of the approval to the registered operator of the aircraft.
- (3) A person commits an offence of strict liability if the person contravenes subregulation (2).

Penalty: 50 penalty units.

Subpart 45.B—Aircraft markings

45.050 Requirements for aircraft markings

- (1) The Part 45 Manual of Standards may prescribe requirements relating to the display of markings on aircraft.
- (2) Without limiting subregulation (1), the Part 45 Manual of Standards may prescribe requirements relating to the following:
 - (a) when markings must be displayed;
 - (b) the number of sets of markings that must be displayed;
 - (c) the location of sets of markings on aircraft;
 - (d) the characters to be used in each set of markings, including height requirements.

45.055 Display of aircraft markings

Aircraft must comply with Part 45 Manual of Standards if operated

- (1) The registration holder and the registered operator of an aircraft each contravene this subregulation if:
 - (a) the aircraft is operated; and
 - (b) a requirement (the ***prescribed requirement***) prescribed by the Part 45 Manual of Standards under regulation 45.050 applies to the aircraft; and
 - (c) the prescribed requirement is not met.

Exception—operating with dealer’s mark

- (2) Subregulation (1) does not apply if the aircraft is operating with a dealer’s mark in accordance with Subpart 47.H.

Exception—approvals

- (3) Subregulation (1) does not apply if:
- (a) the registration holder of the aircraft holds an approval under regulation 45.065 to display markings other than in accordance with the prescribed requirement; and
 - (b) the requirements specified in the approval are complied with.
- (4) Subregulation (1) does not apply if:
- (a) the registration holder of the aircraft holds an approval under regulation 45.070:
 - (i) to display markings other than in accordance with the prescribed requirement; or
 - (ii) to display no markings; for the purposes of an exhibition; and
 - (b) the aircraft is operated for the exhibition during the period of the approval; and
 - (c) the requirements specified in the approval are complied with.

Exception—certain Commonwealth and State functions

- (5) Subregulation (1) does not apply if the aircraft is operated:
- (a) in relation to the performance of a function of an authority of the Commonwealth, or an authority or agency of a State; and
 - (b) in circumstances in which knowledge of the operation may:
 - (i) reduce the effectiveness of the performance of the function; or
 - (ii) expose a person to the danger of physical harm or death arising from the actions of another person.

Offence

- (6) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (2) to (5): see subsection 13.3(3) of the *Criminal Code*.

45.060 Designs etc. not to modify, obscure or create confusion about sets of markings

- (1) The registration holder and the registered operator of an aircraft each contravene this subregulation if:
 - (a) the aircraft is operated; and
 - (b) a design, mark or symbol on an aircraft modifies, obscures or creates confusion about a set of markings on the aircraft.
- (2) Subregulation (1) does not apply in relation to:
 - (a) a Defence Force symbol or call-sign on an aircraft operated by the Defence Force; or
 - (b) a design, mark or symbol on an aircraft approved in writing by CASA.
- (3) CASA must not grant an approval under paragraph (2)(b) if granting the approval would adversely affect the safety of air navigation.

Offence

- (4) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (2): see subsection 13.3(3) of the *Criminal Code*.

45.065 Approval to operate with different markings—aircraft of special configuration

- (1) The registration holder of an aircraft may apply to CASA for approval to display markings on the aircraft other than in accordance with a requirement (the *prescribed requirement*) prescribed by the Part 45 Manual of Standards under regulation 45.050.
- (2) CASA must approve the application if CASA is satisfied that, because of the configuration of the aircraft, the prescribed requirement specified in the application cannot be met.
- (3) The approval must:
 - (a) be in writing; and

-
- (b) specify the requirements for the display of markings on the aircraft that must be met.

45.070 Approval to operate with different or no markings—aircraft operated for an exhibition

Applications for approval to display different or no markings at an exhibition

- (1) The registration holder of an aircraft may apply to CASA for approval, for the purposes of an exhibition:
 - (a) to display markings on the aircraft other than in accordance with a requirement (the **prescribed requirement**) prescribed by the Part 45 Manual of Standards under regulation 45.050; or
 - (b) to display no markings on the aircraft.
- (2) The application for approval must include the following:
 - (a) the kind of exhibition, and the name (if any) of the exhibition;
 - (b) the dates and times during which the aircraft will be operated for the exhibition;
 - (c) the location of the exhibition, including the relevant flight paths;
 - (d) a photograph or drawing of the aircraft showing the colour of the aircraft and any marks the applicant intends the aircraft to bear while it is operated for the exhibition.

Requirements for approvals

- (3) CASA must approve the application if CASA is satisfied that:
 - (a) the aircraft will be operated for an exhibition; and
 - (b) the display of markings in accordance with the prescribed requirement would be inconsistent with the operation of the aircraft for the exhibition; and
 - (c) if the exhibition is in a foreign country—the display of markings in accordance with an approval, or the display of no markings, would not contravene a law of that country.
- (4) The approval must:
 - (a) be in writing; and

- (b) specify the requirements (if any) for the display of markings on the aircraft that must be met while the aircraft is operated for the exhibition; and
- (c) state the period of the approval.

Markings must be displayed in cockpit and visible to crew

- (5) The registration holder and the registered operator of an aircraft each contravene this subregulation if:
 - (a) the registration holder holds an approval under this regulation in relation to the aircraft and an exhibition; and
 - (b) the aircraft is operated for the exhibition; and
 - (c) the Australian nationality mark and the registration mark of the aircraft are not:
 - (i) displayed in the cockpit; and
 - (ii) clearly visible to the aircraft's crew.

Offence

- (6) A person commits an offence of strict liability if the person contravenes subregulation (5).

Penalty: 50 penalty units.

Subpart 45.C—Requirement to display words on certain aircraft

45.090 Requirements for display of words

- (1) The Part 45 Manual of Standards may prescribe requirements relating to the display of specified words on the following kinds of aircraft:
 - (a) aircraft for which a special airworthiness certificate of the kind mentioned in regulation 21.189 is in force;
 - (b) aircraft for which a special airworthiness certificate of the kind mentioned in regulation 21.185 is in force;
 - (c) provisionally certificated aircraft;
 - (d) experimental aircraft.

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- (2) Without limiting subregulation (1), the Part 45 Manual of Standards may prescribe requirements relating to the following:
- (a) the words that must be displayed;
 - (b) the location of the words;
 - (c) the manner in which the words must be displayed, including the colour and height of the letters used.

45.095 Display of words

- (1) The registration holder and the registered operator of an aircraft each contravene this subregulation if:
- (a) the aircraft is operated; and
 - (b) a requirement (the *prescribed requirement*) prescribed by the Part 45 Manual of Standards under regulation 45.090 applies to the aircraft; and
 - (c) the prescribed requirement is not met.
- (2) Subregulation (1) does not apply if:
- (a) the registration holder of the aircraft holds an approval under regulation 45.100 to:
 - (i) display words other than in accordance with the prescribed requirement; or
 - (ii) to display no words;for the purposes of an exhibition; and
 - (b) the aircraft is operated for the exhibition during the period of the approval; and
 - (c) any requirements specified in the approval are complied with.
- (3) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (2): see subsection 13.3(3) of the *Criminal Code*.

45.100 Approval to operate with different or no words—aircraft operated for an exhibition

Applications for approval to display different or no words at an exhibition

- (1) The registration holder of an aircraft may apply to CASA for approval, for the purposes of an exhibition:
 - (a) to display words on the aircraft other than in accordance with a requirement (the **prescribed requirement**) prescribed by the Part 45 Manual of Standards under regulation 45.090; or
 - (b) to display no words on the aircraft.
- (2) The application for approval must include the following:
 - (a) the kind of exhibition, and the name (if any) of the exhibition;
 - (b) the dates and times during which the aircraft will be operated for the exhibition;
 - (c) the location of the exhibition, including the relevant flight paths;
 - (d) a photograph or drawing of the aircraft showing the colour of the aircraft and any marks the applicant intends the aircraft to bear while it is operated for the exhibition.

Requirements for approvals

- (3) CASA must approve the application if CASA is satisfied that:
 - (a) the aircraft will be operated for an exhibition; and
 - (b) the display of words in accordance with the prescribed requirement would be inconsistent with the operation of the aircraft for the exhibition; and
 - (c) if the exhibition is in a foreign country—the display of words in accordance with an approval, or the display of no words, would not contravene a law of that country.
- (4) The approval must:
 - (a) be in writing; and
 - (b) specify the requirements (if any) for the display of words on the aircraft that must be met while the aircraft is operated for the exhibition; and
 - (c) state the period of the approval.

Prescribed word must be displayed and visible

- (5) The registration holder and the registered operator of an aircraft each contravene this subregulation if:
- (a) the registration holder holds an approval under this regulation in relation to the aircraft and an exhibition; and
 - (b) the aircraft is operated for the exhibition; and
 - (c) if a specified word for the aircraft is prescribed by the Part 45 Manual of Standards under regulation 45.090—the word is not:
 - (i) displayed in the cockpit; and
 - (ii) clearly visible to the aircraft's crew.
- (6) A person commits an offence of strict liability if the person contravenes subregulation (5).

Penalty: 50 penalty units.

Subpart 45.D—Aircraft registration identification plate

45.120 Application of Subpart 45.D

This Subpart applies to an aircraft if:

- (a) the aircraft has a maximum take-off weight of more than 5 700 kg; or
- (b) the aircraft is operating outside Australian territory; or
- (c) the aircraft does not have a manufacturer's data plate attached in accordance with regulation 21.820.

45.125 Plate to be attached to aircraft

- (1) The registration holder and the registered operator of the aircraft each contravene this subregulation if:
- (a) the aircraft is operated; and
 - (b) a requirement mentioned in subregulation (2) is not met.
- (2) The requirements are the following:
- (a) the aircraft's markings must be displayed on the aircraft registration identification plate for the aircraft;

- (b) the method of displaying the aircraft's markings must meet the requirements prescribed by the Part 45 Manual of Standards for the purposes of this paragraph;
 - (c) the plate must be attached to the aircraft in a way that ensures that the plate is not likely to be defaced or to become detached from the aircraft;
 - (d) the plate must be attached at the location on the aircraft prescribed by the Part 45 Manual of Standards for the purposes of this paragraph;
 - (e) the plate must be constructed of the material prescribed by the Part 45 Manual of Standards for the purposes of this paragraph.
- (3) Subregulation (1) does not apply in relation to the requirement mentioned in paragraph (2)(b) if:
- (a) the registration holder of the aircraft holds an approval under regulation 45.135 to display the aircraft's markings using a different method; and
 - (b) the markings are displayed using that method.
- (4) Subregulation (1) does not apply in relation to the requirement mentioned in paragraph (2)(d) if:
- (a) the registration holder of the aircraft holds an approval under regulation 45.140 to operate the aircraft with the plate attached in a different place; and
 - (b) the requirements specified in the approval are complied with.
- (5) A person commits an offence of strict liability if the person contravenes subregulation (1).

Penalty: 50 penalty units.

Note: A defendant bears an evidential burden in relation to the matters in subregulation (3) or (4): see subsection 13.3(3) of the *Criminal Code*.

45.130 Removal or alteration of plates

- (1) A person contravenes this subregulation if:
- (a) the person removes the aircraft registration identification plate from an aircraft; and
 - (b) the removal is not:
 - (i) for the purpose of ensuring compliance with this Part; or

(ii) for the purpose of carrying out maintenance on the aircraft in accordance with these Regulations.

- (2) A person contravenes this subregulation if:
- (a) the person alters the aircraft registration identification plate of an aircraft; and
 - (b) the alteration is not for the purpose of ensuring compliance with this Part.

Offence

- (3) A person commits an offence of strict liability if the person contravenes subregulation (1) or (2).

Penalty: 50 penalty units.

45.135 Approval of method of displaying markings

- (1) The registration holder of an aircraft may apply to CASA for approval of a method of displaying the aircraft's markings on the aircraft registration identification plate for the aircraft.
- (2) CASA must approve the application if CASA is satisfied that the method of displaying the aircraft's markings is similar to marking by etching, stamping or engraving.
- (3) The approval must be in writing.

45.140 Approval for attachment of plate—aircraft of special configuration

- (1) The registration holder of an aircraft (other than a balloon) may apply to CASA for approval to attach the aircraft registration identification plate for the aircraft to the aircraft other than in accordance with paragraph 45.125(2)(d).
- (2) CASA must approve the application if CASA is satisfied that, because of the configuration of the aircraft, the requirements prescribed by the Part 45 Manual of Standards for the purposes of paragraph 45.125(2)(d) cannot be met.
- (3) The approval must:
 - (a) be in writing; and
 - (b) specify the requirements for attaching the plate to the aircraft.

4 Subregulation 201.004(2) (table 201.004, item 9)

Omit “45.090”, substitute “45.060”.

5 Subregulation 201.004(2) (table 201.004, item 10)

Omit “45.105 directing where to place an aircraft’s markings”, substitute “45.065 refusing approval to display different markings”.

6 Subregulation 201.004(2) (table 201.004, after item 10)

Insert:

10A under regulation 45.070 refusing approval to display different markings, or no markings, for the purposes of an exhibition

10B under regulation 45.100 refusing approval to display different words, or no words, for the purposes of an exhibition

10C under regulation 45.135 refusing approval of a method of displaying aircraft markings

7 Subregulation 201.004(2) (table 201.004, item 11)

Repeal the item, substitute:

11 under regulation 45.140 refusing approval to attach an aircraft identification plate other than in accordance with regulation 45.125

8 Subregulation 201.004(2) (table 201.004, item 12)

Repeal the item.

9 Before regulation 202.200

Insert:

Division 202.BD.1—Amendments made by the Civil Aviation Amendment Regulation 2000 (No. 3)

10 At the end of Subpart 202.BD

Add:

**Division 202.BD.2—Amendments made by Schedule 3 to
the Civil Aviation Legislation Amendment
(Airworthiness and Other Matters—2015
Measures No. 1) Regulation 2015**

202.205 Approvals—markings on aircraft

- (1) This regulation applies to an approval that was in force under regulation 45.090 immediately before 4 July 2016.
- (2) The approval has effect, on and after 4 July 2016, as if it were an approval granted under regulation 45.060.

202.210 Exemptions—antique, experimental and ex-military aircraft

Despite the amendments of these Regulations made by Schedule 3 to the *Civil Aviation Legislation Amendment (Airworthiness and Other Matters—2015 Measures No. 1) Regulation 2015*, regulation 45.100 (as in force immediately before 4 July 2016) continues to apply to an aircraft covered by paragraphs 45.100(1)(a) and (b) until the aircraft is repainted as if a reference in that regulation to regulations 45.045, 45.050, 45.055, 45.060, 45.065, 45.070, 45.075, 45.080 and 45.085 were a reference to the requirements prescribed by the Part 45 Manual of Standards under regulation 45.050.

202.215 Directions—aircraft with special configuration

- (1) This regulation applies to a written direction that was in force under regulation 45.105 immediately before 4 July 2016.
- (2) The direction has effect, on and after 4 July 2016, as if it were an approval granted under regulation 45.065.

202.220 Directions—identification plates

- (1) This regulation applies to a written direction that was in force under regulation 45.150 immediately before 4 July 2016.
- (2) The direction has effect, on and after 4 July 2016, as if it were an approval granted under regulation 45.140.

11 Part 1 of the Dictionary (definition of *aircraft registration identification plate*)

Repeal the definition, substitute:

aircraft registration identification plate: see regulation 45.010.

12 Part 1 of the Dictionary (definition of *Australian nationality mark*)

Repeal the definition, substitute:

Australian nationality mark: see regulation 45.010.

13 Part 1 of the Dictionary

Insert:

exhibition: see regulation 45.010.

14 Part 1 of the Dictionary (definition of *markings*)

Repeal the definition, substitute:

markings, for an aircraft: see regulation 45.015.

15 Part 1 of the Dictionary

Insert:

Part 45 Manual of Standards means the Manual of Standards issued by CASA under regulation 45.025.

16 Part 1 of the Dictionary (definition of *registration mark*)

Repeal the definition, substitute:

registration mark, of an aircraft, means the registration mark assigned to the aircraft under Subpart 47.G.

17 Part 1 of the Dictionary (definition of *set of markings*)

Repeal the definition.