

Civil Aviation Amendment (Fuel and Oil Requirements) Regulations 2018

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 regulations.

Dated 10 May 2018

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Michael McCormack

Deputy Prime Minister and Minister for Infrastructure and Transport

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1 Name

 This instrument is the *Civil Aviation Amendment (Fuel and Oil Requirements) Regulations 2018*.

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. The whole of this instrument | 8 November 2018. | 8 November 2018 |

Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Civil Aviation Regulations 1988

1 Regulation 234

Repeal the regulation, substitute:

234 Fuel requirements

 (1) For the purposes of paragraph 98(5A)(a) of the Act, CASA may issue a legislative instrument prescribing requirements relating to fuel for aircraft.

 (2) Without limiting subregulation (1), the instrument may prescribe:

 (a) matters that must be considered when determining whether an aircraft has sufficient fuel to complete a flight safely; and

 (b) the amounts of fuel that must be carried on board an aircraft for a flight; and

 (c) procedures for monitoring amounts of fuel during a flight; and

 (d) procedures to be followed if fuel reaches specified amounts during a flight.

 (3) The pilot in command of an aircraft for a flight commits an offence of strict liability if:

 (a) the pilot is subject to a requirement under the instrument made for the purposes of subregulation (1) in relation to the flight; and

 (b) the pilot does not comply with the requirement in relation to the flight.

Penalty: 50 penalty units.

 (4) The operator of an aircraft commits an offence of strict liability if:

 (a) the operator is subject to a requirement under the instrument made for the purposes of subregulation (1) in relation to a flight of the aircraft; and

 (b) the operator does not comply with the requirement in relation to the flight.

Penalty: 50 penalty units.

234A Oil requirements

 The operator and the pilot in command of an aircraft for a flight each commit an offence of strict liability if, when the aircraft begins the flight, the aircraft is not carrying sufficient oil to complete the flight safely.

Penalty: 50 penalty units.