



Australian Government
Civil Aviation Safety Authority

I, SHANE PATRICK CARMODY, Director of Aviation Safety, on behalf of CASA, make this instrument under subregulation 5 (1), regulation 210A and subregulation 215 (3) of the *Civil Aviation Regulations 1988*, subregulation 11.068 (1) of the *Civil Aviation Safety Regulations 1998*, and paragraph 28BA (1) (b) and subsection 98 (4A) of the *Civil Aviation Act 1988*.

[Signed S. Carmody]

Shane Carmody
Director of Aviation Safety

18 September 2018

Civil Aviation Order 48.1 Amendment Instrument 2018 (No. 2)

1 Name of instrument

This instrument is the *Civil Aviation Order 48.1 Amendment Instrument 2018 (No. 2)*.

2 Commencement

This instrument commences on the day after registration.

3 Amendment of *Civil Aviation Order 48.1 Instrument 2013*

Schedule 1 amends *Civil Aviation Order 48.1 Instrument 2013*.

4 Amendment of *Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 1) (as amended)*

Schedule 2 amends *Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 1) (as amended)*.

Schedule 1 *Civil Aviation Order 48.1 Instrument 2013*

[1] Paragraphs 3.1, 3.2 and 3.3

omit

31 October 2018 (wherever occurring)

insert

26 March 2020

[2] Before paragraph 4.1

insert

4.1A In this subsection:

the transition date means:

- (a) 30 September 2019 — for the regular public transport operations, in high capacity aircraft, of any AOC holder to whom Civil Aviation Order (*CAO*) 82.5 applies; and

Note A “high capacity aircraft” is defined in subsection 2 of CAO 82.0 as “an aircraft that is certified as having a maximum seating capacity exceeding 38 seats or a maximum payload exceeding 4 200 kg”.

(b) 26 March 2020 — for operations of any AOC holder that are not described in paragraph (a).

[3] Subparagraph 4.2 (a)

omit

31 October 2018

insert

the transition date

[4] Paragraphs 4.3 and 4.4

omit

31 October 2018 (wherever occurring)

insert

the transition date

[5] Before paragraph 4B.1

insert

4B.1A In this subsection:

the transition date means 26 March 2020.

[6] Paragraphs 4B.2 and 4B.3

omit

31 October 2018 (wherever occurring)

insert

the transition date

**Schedule 2 Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 1)
(as amended)**

[1] Subsection 2.2

substitute

2.2 Subject to subsections 2.2A and 2.3, section 3 commences on 30 September 2019.

Note The effect of subsection 2.2 is that the amendments to *Civil Aviation Order 48.1 Instrument 2013* contained in Schedule 1 of the *Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 1) (as amended)* commence on 30 September 2019 for the regular public transport operations, in high capacity aircraft, of an AOC holder. But such AOC holders may opt-in earlier.

2.2A Despite subsection 2.2, and subject to subsection 2.3, section 3 does not take effect until 26 March 2020 for:

- (a) the operations of any AOC holder that are not regular public transport operations, in high capacity aircraft, to which Civil Aviation Order 82.5 applies; or
- (b) any Part 141 operator.

Note Subsection 2.2A delays the effect of amendments to *Civil Aviation Order 48.1 Instrument 2013*, contained in Schedule 1 of the *Civil Aviation Order 48.1 Amendment Instrument 2016 (No. 1) (as amended)*, until 26 March 2020 for the operations of an AOC holder that are not regular public transport operations in high capacity aircraft, and for any Part 141 operator. But such AOC holders and Part 141 operators may opt-in earlier.

[2] Subsection 2.3

substitute

- 2.3 Despite subsections 2.2 and 2.2A, section 3 takes effect for a person in accordance with section 4.

Note This provision enables the early opt-in process mentioned in section 4.

[3] Subsection 4.1

insert

the transition date means:

- (a) 30 September 2019 — for the regular public transport operations, in high capacity aircraft, of any AOC holder to whom Civil Aviation Order (**CAO**) 82.5 applies; and

Note A “high capacity aircraft” is defined in subsection 2 of CAO 82.0 as “an aircraft that is certified as having a maximum seating capacity exceeding 38 seats or a maximum payload exceeding 4 200 kg”.

- (b) 26 March 2020 for:

- (i) the operations of any AOC holder that are not described in paragraph (a);
and
(ii) any Part 141 operator.

[4] Subsection 4.2

omit

31 October 2018 (wherever occurring)

insert

the transition date

[5] Paragraph 4.3 (b), the Note

omit

31 October 2018 (wherever occurring)

insert

the transition date
