



Part 149 (Approved Self-administering Aviation Organisations) Amendment Manual of Standards 2021

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make the following Manual of Standards.

Dated 2 December 2021

[Signed P. Spence]

Pip Spence

Director of Aviation Safety

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1 Name

This instrument is the *Part 149 (Approved Self-administering Aviation Organisations) Amendment Manual of Standards 2021*.

2 Commencement

This instrument commences on 3 December 2021.

3 Authority

This instrument is made under the *Civil Aviation Safety Regulations 1998*.

4 Schedules

Schedule 1 amends the *Part 149 (Approved Self-administering Aviation Organisations) Manual of Standards 2018*.

Schedule 1—Amendments

Part 149 (Approved Self-administering Aviation Organisations) Manual of Standards 2018

[1] Subsection 5(1), definitions of *aerial application operation*, *aerial mustering* and *applicable CAO*

omit

[2] Subsection 5(1)

insert

Civil Aviation Order 95.10 means *Civil Aviation Order 95.10 (Exemptions from CAR and CASR — Microlight Aeroplanes) Instrument 2021*, as in force from time to time.

Civil Aviation Order 95.32 means *Civil Aviation Order 95.32 (Exemptions from CAR and CASR — Powered Parachutes and Weight-shift-controlled Aeroplanes) Instrument 2021*, as in force from time to time.

Civil Aviation Order 95.54 means Civil Aviation Order 95.54 (Manned balloons and hot air airships — private operations) 2011, as in force from time to time.

Civil Aviation Order 95.55 means *Civil Aviation Order 95.55 (Exemptions from CAR and CASR — Certain Light Sport Aircraft, Lightweight Aeroplanes and Ultralight Aeroplanes) Instrument 2021*, as in force from time to time.

light sport aircraft (experimental) has the meaning given by section 5.1 of Civil Aviation Order 95.55.

light sport aircraft (production) has the meaning given by section 5.1 of Civil Aviation Order 95.55.

lightweight aeroplane has the meaning given by section 5.1 of Civil Aviation Order 95.55.

ultralight aeroplane has the meaning given by section 5.1 of Civil Aviation Order 95.55.

Part 131 aircraft has the meaning given by regulation 131.005 of CASR.

Part 131 recreational activity has the meaning given by regulation 131.025 of CASR.

private operations has the same meaning as it has in *Civil Aviation Order 95.54*.

single-place aircraft has the meaning given by section 5.1 of Civil Aviation Order 95.32.

specialised balloon operation has the meaning given by regulation 131.020 of CASR.

two-place aircraft has the meaning given by section 5.1 of Civil Aviation Order 95.32.

[3] Subsection 5(1), definition of *empty weight*

substitute

empty weight has the meaning given by subsection 2 of Civil Aviation Order 100.7, as in force from time to time.

[4] Subsection 5(1), definition of *flight training*

substitute

flying training, for a pilot certificate, rating or endorsement in relation to the operation of a Part 149 aircraft, means training and assessment in all the units of competency (however described) required by an ASAO for the issue of the pilot certificate, rating or endorsement to:

- (a) for a pilot certificate—operate the aircraft; and
- (b) for a rating or endorsement on the pilot certificate—conduct the activities authorised by the rating or endorsement.

[5] Subsection 5(1)

insert

microlight aeroplane has the meaning given by subsection 5 of Civil Aviation Order 95.10.

[6] Subsection 5(1), definition of *Part 149 aircraft*

substitute

Part 149 aircraft means an aircraft mentioned in section 8, 9, 10 or 11.

[7] Subsection 5(1), definition of *powered parachute*

substitute

powered parachute has the meaning given by Part 1 of the Dictionary to CASR.

[8] Subsection 5(1), definition of *tandem parachutist*

substitute

tandem parachutist has the meaning given by regulation 105.010 of CASR.

[9] Subsection 5(1), definition of *weight-shift-controlled aeroplane*

substitute

weight-shift-controlled aeroplane has the meaning given by Part 1 of the Dictionary to CASR.

[10] Subsection 5(2), including the table

omit

[11] Section 7

omit

[12] Section 8

substitute

8 Part 149 aircraft—microlight aeroplanes

A microlight aeroplane is a **Part 149 aircraft** if it is:

- (a) listed with a sport aviation body; and
- (b) operated for a purpose mentioned in Civil Aviation Order 95.10.

[13] Section 9

substitute

9 Part 149 aircraft—weight-shift-controlled aeroplanes and powered parachutes

An aircraft that is a single-place or two-place powered parachute or a single-place or two-place weight-shift-controlled aeroplane is a **Part 149 aircraft** if it is:

- (a) listed with a sport aviation body; and
- (b) operated for a purpose mentioned in Civil Aviation Order 95.32.

[14] Section 10

substitute

10 Part 149 aircraft—ultralight aeroplanes, LSA aeroplanes and lightweight aeroplanes

- (1) This section applies to the following aeroplanes:
 - (a) light sport aircraft (experimental);
 - (b) light sport aircraft (production);
 - (c) lightweight aeroplanes;
 - (d) ultralight aeroplanes.
- (2) An aeroplane mentioned in subsection (1) is a **Part 149 aircraft** if it is:
 - (a) listed with a sport aviation body; and
 - (b) operated for a purpose mentioned in Civil Aviation Order 95.55.

[15] Section 11

substitute

11 Part 149 aircraft—manned balloons and hot air airships

A Part 131 aircraft is a **Part 149 aircraft** if it is operated for the purposes of a Part 131 recreational activity.

Note: Such an activity includes a specialised balloon operation that is not conducted for hire or reward.

[16] Section 12

omit

[17] Section 13

omit

a Part 149 aircraft that is a manned balloon or a hot air airship

insert

an aircraft mentioned in section 11

[18] Subsection 14(1)

omit

[19] Subsection 14(2)

omit

(2) It is

insert

It is

[20] Subsection 14(2)

omit

administer the aircraft

insert

administer a Part 149 aircraft

[21] Subsection 15(1), note

substitute

Note: Under the function, an ASAO may set a standard for a Part 149 aircraft if the legislation does not otherwise provide for standards for that aircraft under CAR or CASR.

[22] Subsection 15(2)

substitute

(2) It is an **aviation administration function** to administer a Part 149 aircraft by assessing whether an aircraft design meets an airworthiness standard the ASAO has set for the aircraft under the function in subsection (1).

[23] Subsection 15(3)

omit

[24] Subsection 15(5), examples 1 to 5

omit

[25] Section 19

substitute

19 Flight operations—procedures for safe conduct

(1) It is an **aviation administration function** to administer a Part 149 aircraft by establishing procedures necessary for the safe conduct of flight operations in the

aircraft, in accordance with an applicable CAO and any other provision of the civil aviation legislation that applies to the flight operations.

(2) In this section:

applicable CAO means:

- (a) for a Part 149 aircraft mentioned in section 8—Civil Aviation Order 95.10;
- (b) for a Part 149 aircraft mentioned in section 9—Civil Aviation Order 95.32;
- (c) for a Part 149 aircraft mentioned in section 10—Civil Aviation Order 95.55;
- (d) for a Part 149 aircraft mentioned in section 11—Civil Aviation Order 95.54.

[26] Section 19, note 1

omit

[27] Section 19, note 2

omit

Note 2:

insert

Note:

[28] Paragraphs 20(2)(b) and (d)

omit

flight

insert

flying

[29] Paragraphs 20(3)(b) and (5)(c)

omit

flight

insert

flying

[30] Subparagraph 20(6)(b)(i)

omit

flight

insert

flying

[31] Section 21, heading

omit

flight

insert

flying

[32] Subsection 21(1)

omit

flight training, or flight tests, in relation to a Part 149 aircraft (a ***Part 149 flight training organisation***)

insert

flying training, or flight tests, in relation to a Part 149 aircraft (a ***Part 149 flying training organisation***)

[33] Paragraph 21(2)(a)

omit

flight training

insert

flying training

[34] Paragraph 21(2)(d)

omit (both occurring)

flight

insert

flying

[35] Subsection 21(3)

omit

Part 149 flight

insert

Part 149 flying

[36] Paragraphs 21(3)(a) and (c)

omit

flight

insert

flying

[37] Subsection 21(4)

omit (twice occurring)

flight training

insert

flying training

[38] Subsection 21(4), note

omit

flight

insert

flying

[39] Section 24, note 1

omit

[40] Section 25

omit

[41] Subsection 26(5)

omit

instrument

insert

section

[42] Subsection 26(5), definition of *parachute training operation*

omit

or a tandem parachutist

[43] Subsection 26(5), definition of *tandem parachutist*

omit

[44] Paragraph 31(2)(c)

omit
