I, Philippa Jillian spence, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 5 of the *Civil Aviation Regulations 1988* and regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed P. Spence]**

Pip Spence
Director of Aviation Safety

15 February 2024

Civil Aviation Order 95.55 Amendment Instrument 2024 (No. 1)

1 Name of instrument

 This instrument is *Civil Aviation Order 95.55 Amendment Instrument 2024 (No. 1)*.

2 Commencement

 This instrument commences on the day after it is registered.

3 Amendment of Civil Aviation Order 95.55

 Schedule 1 amends *Civil Aviation Order 95.55 (Exemptions from CAR and CASR — Certain Light Sport Aircraft, Lightweight Aeroplanes and Ultralight Aeroplanes) Instrument 2021.*

Schedule 1 Amendments

[1] Subsection 5, the Note

after

These include:

insert (in their respective alphabetical positions)

***modification/repair design approval***,***type certificated***,

[2] Paragraphs 8.7 and 8.8

repeal and substitute

 8.7 A person must not operate a type certificated ultralight aeroplane that has been repaired, or modified to differ from its type design, unless the repair or modification is:

(a) designed in accordance with 1 of the following:

 (i) an approval under regulation 35 of CAR, as in force before 27 June 2011;

 (ii) a modification/repair design approval;

 (iii) an approval mentioned in regulation 21.475 of CASR;

 (iv) an approval under regulation 21.465 or 21.470 of CASR;

 (v) a CASA specification in or under an airworthiness directive;

 (vi) a specification in the aeroplane’s approved maintenance data;

 (vii) an RAAus approval in accordance with a process for the approval of modifications and repairs specified in the RAAus exposition — but only if:

(A) RAAus is the relevant sport aviation body; and

(B) a certificate of airworthiness under regulation 21.176 of CASR is not in force for the aeroplane (other than because of the operation of paragraph 21.181 (4) (a) of CASR); and

(b) carried out in accordance with the approval or the specified design.

*Note*Sub-subparagraph 8.7 (a) (vii) does not apply to the modification or repair of a type certificated ultralight aeroplane if a certificate of airworthiness under regulation 21.176 of CASR is in force or would be in force but for the operation of paragraph 21.181 (4) (a) of CASR.

 8.8 A person must not operate a type certificated lightweight aeroplane that has been repaired, or modified to differ from its type design, unless the repair or modification is:

(a) designed in accordance with:

 (i) an approval under regulation 35 of CAR, as in force before 27 June 2011; or

 (ii) a modification/repair design approval; or

 (iii) an approval mentioned in regulation 21.475 of CASR; or

 (iv) an approval under regulation 21.465 or 21.470 of CASR; or

 (v) a CASA specification in or under an airworthiness directive; or

 (vi) a specification in the aeroplane’s approved maintenance data; and

(b) carried out in accordance with the approved or specified design.

[3] Paragraph 8.10

omit

ultralight aeroplane *(first occurring)*

insert

ultralight aeroplane (other than a type certificated ultralight aeroplane)