

Dictionary

(regulation 1.4)

Part 1—Definitions

2D instrument approach operation means an instrument approach operation using lateral navigation guidance only.

3D instrument approach operation means an instrument approach operation using lateral and vertical navigation guidance.

ABN (Australian Business Number) has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

accountable manager, of an ASAO, means the individual appointed by the ASAO who is responsible for:

- (a) ensuring that the ASAO and the ASAO's organisation comply with the ASAO's exposition and the civil aviation legislation; and
- (b) ensuring that the ASAO is able to finance, and has adequate resources to perform, the ASAO's approved functions.

accreditation means an accreditation under Division 101.FA.3 authorising the holder to operate excluded RPA and micro RPA.

accreditation holder: see regulation 101.374H.

ACN has the same meaning as in the *Corporations Act 2001*.

Act means the *Civil Aviation Act 1988*.

adequate aerodrome, in relation to a flight of an aeroplane, means an aerodrome that complies with the following:

- (a) an authorised weather forecast for the aerodrome must be available for the aeroplane's estimated time of use of the aerodrome;
- (b) the aerodrome's services and facilities must be operational for at least the estimated time of use;
- (c) the landing distance available for the aeroplane must be at least the landing distance required under these Regulations for the aeroplane's landing at the aerodrome;
- (d) for an IFR flight—at least one authorised instrument approach procedure that is suitable for use by the aeroplane must be operational for at least the estimated time of use.

administering authority, for a limited category aircraft: see regulation 132.010.

adult means a person who has turned 13.

adventure flight, for a limited category aircraft: see regulation 132.015.

adventure flight procedures, for a limited category aircraft: see regulation 132.010.

aerial work certificate means a certificate issued under regulation 138.040.

aerial work operation: see regulation 138.010.

aerial work operator means the holder of an aerial work certificate.

aerial work passenger means a person in a class of persons prescribed by the Part 138 Manual of Standards for the purposes of this definition.

aerobatic manoeuvres, for an aircraft, means manoeuvres of the aircraft that involve:

- (a) bank angles that are greater than 60°; or
- (b) pitch angles that are greater than 45°, or are otherwise abnormal to the aircraft type; or
- (c) abrupt changes of speed, direction, angle of bank or angle of pitch.

aerodrome certificate means a certificate granted under regulation 139.030.

aerodrome control service has the same meaning as in Annex 11 to the Chicago Convention.

aerodrome facilities and equipment means facilities and equipment, inside or outside the boundaries of an aerodrome, that are installed or maintained for use by aircraft operating at the aerodrome.

aerodrome manual, for a certified aerodrome, means the aerodrome manual for the aerodrome required by regulation 139.045.

aerodrome operator means:

- (a) for a certified aerodrome—the person who holds the aerodrome certificate for the aerodrome; or
- (b) otherwise—the person who is responsible for the operation and maintenance of the aerodrome.

aerodrome reference point, in relation to an aerodrome, means the geographical location of the aerodrome:

- (a) determined in accordance with the Part 139 Manual of Standards; or
- (b) specified by a Part 141 operator in its operations manual, or a Part 142 operator in its exposition.

aerodrome traffic has the same meaning as in Annex 11 to the Chicago Convention.

aerodrome works means any construction or maintenance work on or near the movement area of an aerodrome that may create an obstacle or hazard, or restrict the normal take-off and landing of aircraft, at the aerodrome.

aeronautical data has the same meaning as in Annex 15 to the Chicago Convention.

aeronautical data originator means a person who has been given a data product specification under regulation 175.160 that is in force.

aeronautical data processing standards means:

- (a) EUROCAE ED-76; or
- (b) RTCA/DO-200A.

aeronautical fixed service has the same meaning as in Annex 11 to the Chicago Convention.

aeronautical information has the same meaning as in Annex 15 to the Chicago Convention.

Aeronautical Information Publication or ***AIP*** has the same meaning as in the *Air Services Regulations 2019*.

aeronautical radio operator certificate: see regulation 64.010.

aeroplane means a power-driven heavier-than-air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight, but does not include a power-assisted sailplane.

AGL means above ground or water level.

AIP: see ***Aeronautical Information Publication***.

AIP Amendment has the same meaning as in Annex 15 to the Chicago Convention.

AIP responsible person, for an aeronautical data originator, means a person appointed by the originator as an AIP responsible person under regulation 175.445.

AIP Supplement has the same meaning as in Annex 15 to the Chicago Convention.

AIRAC effective date means an AIRAC effective date published in ICAO Document 8126.

airborne collision avoidance system means a system fitted to an aircraft to provide information to its pilot for avoiding collisions with other aircraft.

aircraft engineer licence means any of the following licences granted under regulation 66.025 or 66.026:

- (a) subcategory A1;
- (b) subcategory A2;
- (c) subcategory A3;
- (d) subcategory A4;
- (e) subcategory B1.1;
- (f) subcategory B1.2;
- (g) subcategory B1.3;

- (h) subcategory B1.4;
- (i) category B2;
- (j) category C.

aircraft flight manual instructions, for an aircraft, means the following documents and information provided by the aircraft's manufacturer or issued in accordance with a Part 21 approval:

- (a) the aircraft's flight manual;
- (b) checklists of normal, abnormal and emergency procedures for the aircraft;
- (c) any operating limitation, instructions, markings and placards relating to the aircraft.

aircraft registration identification plate: see regulation 45.010.

aircraft type rating, in relation to flight crew, means a type rating prescribed by a legislative instrument issued under regulation 61.055 or 61.060.

air crew member means a crew member for a flight of an aircraft (other than a flight crew member) who carries out a function during the flight relating to the safety of the operation of the aircraft, or the safety of the use of the aircraft.

air display means organised flying performed before a public gathering, including the following:

- (a) a contest;
- (b) an exhibition of aerobatic manoeuvres;
- (c) flying in formation;
- (d) other aircraft operations associated with the air display.

air/ground radio service means a radio service at an aerodrome that provides information relating to the aerodrome (including relevant air traffic) to aircraft operating in the vicinity of the aerodrome.

air security officer means:

- (a) a protective service officer or special protective service officer of the Australian Federal Police who is directed by the Commissioner to carry out the duties of a position of air security officer; or
- (b) a person who is:
 - (i) employed and trained by a foreign government to travel on aircraft to provide security for aircraft and their passengers and crew (other than a person who is employed to provide exclusive personal protection for 1 or more individuals travelling on an aircraft); and
 - (ii) operating in accordance with an arrangement between the foreign government and the Australian Government.

airship means a powered, lighter-than-air aircraft.

air traffic has the same meaning as in Annex 11 to the Chicago Convention.

air traffic control means Air Traffic Services in its capacity as a provider of air traffic control services.

air traffic control clearance means an authorisation given by a person performing duties in air traffic control for an aircraft to proceed under conditions specified in the authorisation.

air traffic control function means a function described in a paragraph of subregulation 65.075(2).

air traffic control instructions means directions given by a person performing duties in air traffic control for an aircraft to conduct its flight in the manner specified in the directions.

air traffic control service has the same meaning as in Annex 11 to the Chicago Convention.

air traffic service means a service of a kind mentioned in Annex 11, *Air Traffic Services*, to the Chicago Convention, other than a certified air/ground radio service (within the meaning of regulation 139.390) at an aerodrome.

Air Traffic Services:

- (a) in relation to an air traffic service provided in Australian-administered airspace—means:
 - (i) an ATS provider; or
 - (ii) the Defence Force in its capacity as a provider of air traffic services; and
- (b) in relation to an air traffic service provided in airspace that is not Australian-administered airspace—an air traffic service provider authorised by the national aviation authority of the relevant foreign country to provide the air traffic service.

air transport operation: see clause 3 of Part 2 of this Dictionary.

airworthiness directive: see regulation 39.001A.

AIS has the meaning given in Annex 15 to the Chicago Convention.

AIS provider means a person who holds a certificate under regulation 175.055.

alternate aerodrome has the same meaning as in Annex 2 to the Chicago Convention.

altitude has the same meaning as in Annex 2 to the Chicago Convention.

amateur-built aircraft means an aircraft described in paragraph 21.191(g).

Amateur Built Aircraft Acceptance, or ***ABAA***, means a document given by CASA or an authorised person as a type approval for an amateur-built aircraft.

amphibian means an aeroplane that is designed to take off from, and land on, either land or water.

AOC: see subsection 3(1) of the Act.

APMA means Australian Parts Manufacturer Approval.

appliance means any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communication equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine or propeller.

Source FARs section 1.1.

application material: see regulation 137.010.

apply, in relation to application material, has the meaning given by regulation 137.010.

approach control service has the same meaning as in Annex 11 to the Chicago Convention.

approved means approved by CASA.

approved airframe life, for a limited category aircraft: see regulation 132.010.

approved design organisation means a person who holds an approval under regulation 21.243 that is in force.

approved flight simulator has the meaning given by regulation 61.010.

approved form means:

- (a) for an application—the form approved by CASA under subregulation 11.030(3) for the application (if any); and
- (b) for a document other than an application—the form approved by CASA under regulation 11.018 for the document (if any).

approved function, of an ASAO, means an aviation administration function mentioned in the ASAO certificate of the ASAO.

approved maintenance data: see regulation 2A of CAR.

approved maintenance organisation means a Subpart 42.F organisation or a Part 145 organisation.

apron has the same meaning as in Annex 11 to the Chicago Convention.

area control service has the same meaning as in Annex 11 to the Chicago Convention.

ARFFS provider has the meaning given by subregulation 139.705(1).

ARN or **Aviation Reference Number** means the unique identifier assigned to a person by CASA for the purposes of CASA's records.

article manufacturer: see paragraph 21.601(2)(e).

ASAO (short for approved self-administering aviation organisation) means a person who holds an ASAO certificate that is in force.

ASAO certificate means a certificate issued by CASA under regulation 149.075.

ASAO enforcement power means the power to vary, suspend or cancel an authorisation issued by an ASAO other than at the request of the authorisation holder.

AS/NZS: a reference to **AS/NZS** followed by a number and a year is a reference to the Australian/New Zealand Standard of that number, published jointly in that year by, or on behalf of, Standards Australia and Standards New Zealand.

ATC licence means an air traffic controller licence granted under Part 65.

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

ATSO authorisation: see paragraph 21.601(2)(b).

ATS provider has the meaning given by regulation 172.015.

ATS routes has the same meaning as in Annex 4 to the Chicago Convention.

ATS training provider has the meaning given by regulation 143.015.

Australian-administered airspace has the same meaning as in the *Air Services Act 1995*.

Australian air transport AOC has the meaning given by subregulation 119.015(1).

Australian air transport operation has the meaning given by regulation 119.010.

Australian air transport operator has the meaning given by subregulation 119.015(2).

Australian Civil Aircraft Register means the register established and maintained under regulation 47.025.

Australian nationality mark: see regulation 45.010.

Australian operator means an operator whose principal place of business, or whose place of permanent residence, is in Australian territory.

Australian Parts Manufacturer Approval or **APMA** means an Australian Parts Manufacturer Approval issued under subregulation 21.303(9) or subregulation 21.305A(2).

authorised aeronautical information, for a flight of an aircraft, means the aeronautical maps, charts and other aeronautical information relevant to the route of the flight, and any probable diversionary route, that are published:

- (a) if paragraph (b) does not apply:
 - (i) in the AIP; or
 - (ii) by a data service provider; or
 - (iii) in NOTAMs; or
- (b) for a flight in a foreign country:
 - (i) in the document that in that country is equivalent to the AIP; or

- (ii) by an organisation approved to publish aeronautical information by the national aviation authority of that country.

authorised data service activity, for a data service provider, means a data service activity mentioned in the data service provider's certificate issued under regulation 175.295.

authorised instrument approach procedure means:

- (a) for an aerodrome other than an aerodrome in a foreign country—an instrument approach procedure that is:
 - (i) designed by a certified designer or authorised designer, and published in the AIP or given to CASA under Part 173; or
 - (ii) prescribed by an instrument issued under regulation 201.025 for this paragraph; or
- (b) for an aerodrome in a foreign country—an instrument approach procedure that is authorised by the national aviation authority of the country.

authorised instrument departure procedure means:

- (a) for an aerodrome other than an aerodrome in a foreign country—an instrument departure procedure that is:
 - (i) designed by a certified designer or authorised designer, and published in the AIP or given to CASA under Part 173; or
 - (ii) prescribed by an instrument issued under regulation 201.025 for this paragraph; or
- (b) for an aerodrome in a foreign country—an instrument departure procedure that is authorised by the national aviation authority of the country.

authorised Part 141 flight training: see regulation 141.015.

authorised Part 142 activity: see regulation 142.015.

authorised person means a person who is appointed under regulation 201.001 to be an authorised person in relation to one or more of the following:

- (a) CASR;
- (b) a particular provision of CASR;
- (c) CAR;
- (d) a particular provision of CAR.

authorised release certificate has the meaning given by clause 18 of Part 2 of this Dictionary.

authorised weather forecast means:

- (a) other than in a foreign country—a weather forecast made by the Bureau of Meteorology for aviation purposes; or
- (b) in a foreign country—a weather forecast made by a person or body that holds an authorisation (however described), granted by an authority of the country, to provide weather forecasts for aviation purposes.

authorised weather report means:

- (a) other than in a foreign country—a weather report made by:
 - (i) the Bureau of Meteorology for aviation purposes; or
 - (ii) an individual who holds a certificate from the Bureau of Meteorology to give weather reports for aviation purposes; or
 - (iii) an automatic weather station at an aerodrome that is approved by the Bureau of Meteorology as an automatic weather station for the aerodrome; or
 - (iv) an automatic broadcast service published in the AIP; or
 - (v) an individual who holds a pilot licence; or
 - (vi) a person appointed by an aerodrome operator to make runway visibility assessments under the Part 139 Manual of Standards; or
 - (vii) a person included in a class of persons specified in the AIP for this subparagraph; or
- (b) in a foreign country—a weather report made by a person or body that holds an authorisation (however described), granted by an authority of the country, to provide weather reports for aviation purposes.

aviation administration and enforcement rules means the rules required by regulation 149.290.

aviation administration function means:

- (a) exercising ASAO enforcement powers; or
- (b) a function prescribed by the Part 149 Manual of Standards.

aviation distress signal means any of the signals described in section 1.1, *Distress signals*, of Appendix 1 to Annex 2, *Rules of the Air*, to the Chicago Convention.

aviation English language proficiency assessment: see regulation 61.010.

aviation safety radio frequency means a radio frequency that is published in the AIP or NOTAMs and covered by any of the subparagraphs of paragraph 91.625(1)(a).

balloon means an unpowered, lighter-than-air aircraft.

balloon flight notification requirements: see subregulation 131.345(1).

balloon flight preparation (weather assessments) requirements: see subregulation 131.340(1).

balloon transport AOC: see subregulation 131.015(1).

balloon transport operation: see regulation 131.010.

balloon transport operator: see subregulation 131.015(2).

cabin crew member means a crew member who performs, in the interests of the safety of an aircraft's passengers, duties assigned by the operator or the pilot in command of the aircraft, but is not a flight crew member.

CAR means the *Civil Aviation Regulations 1988*.

CAR certificate of validation means a certificate issued under regulation 5.27 of CAR.

cargo means things other than persons carried, or to be carried, on an aircraft.

cargo transport operation:

- (a) means an operation of an aircraft that involves the carriage of cargo and crew only; but
- (b) does not include the following:
 - (i) an operation conducted for the carriage of the possessions of the operator or the pilot in command for the purpose of business or trade;
 - (ii) a medical transport operation.

carry-on baggage means baggage or personal effects taken into, or to be taken into, the cabin of an aircraft, for carriage on the aircraft, by:

- (a) a person (including a crew member of the aircraft) travelling on the aircraft; or
- (b) a member of the personnel of the operator of the aircraft on behalf of a person mentioned in paragraph (a).

CASR means the *Civil Aviation Safety Regulations 1998*.

category, in relation to the type certification of aircraft, means a grouping of aircraft based upon intended use and operating limitations (for example, transport, normal, utility, acrobatic, limited, restricted and provisional).

Source FARs section 1.1 modified.

certificate of airworthiness means a standard certificate of airworthiness or a special certificate of airworthiness.

certificate of registration means:

- (a) in relation to an aircraft registered under Division 47.C.1—a certificate issued under regulation 47.090; or
- (b) in relation to an aircraft registered under Division 47.C.2—a certificate issued under paragraph 47.098(2)(b).

certificate of release to service means:

- (a) for an aircraft—a document that complies with subregulation 42.760(1); and
- (b) for an aeronautical product—a document that complies with subregulation 42.810(1) or (2).

certificate of validation: see regulation 61.010.

certification basis means:

- (a) for an aircraft, aircraft engine or propeller for which there is a type certificate—the type certification basis for the aircraft, aircraft engine or propeller; and

- (b) for an aircraft, aircraft engine or propeller for which there is a foreign type certificate—the foreign type certification basis for the aircraft, aircraft engine or propeller.

certified aerodrome means an aerodrome in respect of which an aerodrome certificate is in force.

certified air/ground radio service: see subregulation 139.155(4).

certified true copy, of a document, means a copy of the document that one of the following persons has certified in writing to be a true copy of the document:

- (a) a person mentioned in Schedule 2 to the *Statutory Declarations Regulations 1993*;
- (b) a justice of the peace in a foreign country;
- (c) a notary public in a foreign country;
- (d) an employee of a national aviation authority;
- (e) a person to whom a national aviation authority has delegated a power or function.

charged with an offence: see clause 25 of Part 2 of this Dictionary.

checked baggage means baggage or personal effects checked in by a passenger with an operator, or with another person providing a check-in service for an operator, as baggage or personal effects intended for carriage on the aircraft on which the passenger is travelling.

checking means the assessment of proficiency of the personnel of an aircraft operator or the operator of a flight simulation training device that is conducted to ensure that the personnel are competent to carry out their responsibilities.

child means a person who has turned 2 but has not turned 13.

Civil Air Regulations means the Civil Air Regulations issued by the Administrator of the Federal Aviation Agency of the United States of America, as in force immediately before the commencement of the FARs.

class:

- (a) of aircraft, has the meaning given by regulation 61.020; and
- (b) of aeroplane for Part 64 (Ground operations personnel licensing), has the meaning given by regulation 64.010; and
- (c) in relation to medical certificates—means a class of medical certificate mentioned in regulation 67.145.

Class I product: see paragraph 21.321(2)(a).

Class I provisional certificate of airworthiness means a Class I provisional certificate of airworthiness issued under regulation 21.216.

Class I provisional type certificate means a Class I provisional type certificate issued under regulation 21.076.

Class II product: see paragraph 21.321(2)(b).

Class II provisional certificate of airworthiness means a Class II provisional certificate of airworthiness issued under regulation 21.216.

Class II provisional type certificate means a Class II provisional type certificate issued under regulation 21.076.

Class III product: see paragraph 21.321(2)(c).

Class D external load has the meaning given by the Part 138 Manual of Standards.

class of airspace:

- (a) means a class of airspace designated by Australia or a foreign country in accordance with Annex 11 to the Chicago Convention; and
- (b) in relation to Australian-administered airspace—includes a volume of airspace determined to be a class of airspace under paragraph 5(1)(d) of the *Airspace Regulations 2007*.

cloud ceiling has the same meaning as **ceiling** in Annex 2 to the Chicago Convention.

combination recorder means an item of equipment that combines the functions of a flight data recorder and a cockpit voice recorder.

commercial pilot (balloon) licence means a commercial pilot (balloon) licence issued under Part 5 of CAR.

compartment, of an aircraft, includes the space inside a non-compartmentalised fuselage.

configuration deviation list, for an aircraft, means a document that:

- (a) is prepared by the aircraft's type certificate holder or foreign type certificate holder; and
- (b) is approved by CASA or the national aviation authority that issued the foreign type certificate for the aircraft; and
- (c) lists each external part of the aircraft that is permitted to be missing from the aircraft, under conditions specified in the document, when a flight of the aircraft begins.

constable has the same meaning as in subsection 3(1) of the *Crimes Act 1914*.

contaminated: a runway is **contaminated** if more than 25% of the surface area required for a take-off or landing is covered by any of the following:

- (a) water or slush more than 3 mm deep;
- (b) loose snow more than 20 mm deep;
- (c) compacted snow or ice.

continuing airworthiness management organisation means a person who holds an approval under regulation 42.590 that is in force.

continuing airworthiness management service has the meaning given by subregulation 42.575(1).

Contracting State: see section 3 of the Act.

control area:

- (a) has the same meaning as in Annex 11 to the Chicago Convention; and
- (b) in relation to Australian-administered airspace—includes a volume of airspace determined to be a control area under paragraph 5(1)(c) of the *Airspace Regulations 2007*.

controlled aerodrome: an aerodrome is a **controlled aerodrome** at a particular time if, at that time, an air traffic control service is provided to aerodrome traffic.

controlled airspace means airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Note: The airspace classification is the classification of airspace as a class of airspace (for example, class A airspace).

control zone:

- (a) has the same meaning as in Annex 11 to the Chicago Convention; and
- (b) in relation to Australian-administered airspace—includes a volume of airspace determined to be a control zone under paragraph 5(1)(b) of the *Airspace Regulations 2007*.

convicted of an offence: see clause 35 of Part 2 of this Dictionary.

co-pilot, in relation to an aircraft, means a pilot on board the aircraft in a piloting capacity other than:

- (a) the pilot in command; or
- (b) a pilot who is on board the aircraft for the sole purpose of receiving flight training.

corporation, in Parts 119, 131 and 149, has the meaning given by regulation 11.015.

cost-sharing: a flight is a **cost-sharing** flight if:

- (a) the flight is conducted using an aircraft with a maximum seat configuration of not more than 6, including the pilot's seat; and
- (b) the pilot in command is not remunerated for the flight; and
- (c) the pilot in command pays an amount of the direct costs of the flight that is at least equal to the amount that would be paid by each person if the direct costs were evenly divided between all persons on board; and
- (d) the flight is not advertised to the general public.

Example 1: For paragraph (c), if the direct costs of a flight are \$3,000 and the flight has 5 persons on board, including the pilot, the pilot must pay at least \$600 towards the direct costs.

Example 2: For paragraph (d):

- (a) an advertisement in a daily national newspaper is an advertisement to the general public; and

- (b) an advertisement in a flying club newsletter is not an advertisement to the general public.

crew member: a person is a **crew member** of an aircraft if the person is carried on the aircraft and is:

- (a) a person:
 - (i) who is authorised by the operator of the aircraft to carry out a specified function during flight time relating to the operation, maintenance, use or safety of the aircraft, the safety of the aircraft's passengers or the care or security of any cargo which may affect the safety of the aircraft or its occupants; and
 - (ii) who has been trained to carry out that function; or
- (b) a person who is on board the aircraft for the purpose of:
 - (i) giving or receiving instruction in a function mentioned in subparagraph (a)(i); or
 - (ii) being tested for a qualification associated with a function mentioned in subparagraph (a)(i); or
- (c) a person authorised by CASA under these Regulations, or by the operator, to carry out an audit, check, examination, inspection or test of a person mentioned in paragraph (a) or (b).

crew station, for a crew member of an aircraft, means a position on the aircraft that is designed and equipped to enable the crew member to carry out the crew member's assigned duties on the aircraft.

critical fuelling point, for fuelling an aircraft, means any of the following:

- (a) a fuel tank filling point on the aircraft;
- (b) a fuel tank vent outlet on the aircraft;
- (c) the ground fuelling equipment that is used to fuel the aircraft.

critical part, for an aircraft, means a part that must be inspected, overhauled, or removed or retired from the aircraft within a period specified:

- (a) in the Airworthiness Limitations section of the Manufacturer's Maintenance Manual (as published from time to time by the aircraft's manufacturer) for the aircraft; or
- (b) in the Manufacturer's Instructions for Continued Airworthiness (as published by the manufacturer from time to time) for the aircraft.

cross-country flight has the meaning given by regulation 61.010.

cruise relief type rating means:

- (a) a cruise relief co-pilot type rating; or
- (b) a cruise relief flight engineer type rating.

cruising level has the same meaning as in Annex 2 to the Chicago Convention.

current, for an aviation English language proficiency assessment: see regulation 61.260.

DAME means designated aviation medical examiner.

danger area:

- (a) has the same meaning as in Annex 11 to the Chicago Convention; and
- (b) in relation to Australian territory—includes an area designated as a danger area by a declaration made under subregulation 6(1) of the *Airspace Regulations 2007*.

DAO means designated aviation ophthalmologist.

data product specification has the same meaning as in Annex 15 to the Chicago Convention.

data service activity means any of the following:

- (a) publishing aeronautical data;
- (b) publishing aeronautical information;
- (c) publishing an aeronautical chart;
- (d) supplying aeronautical data in a database for use in navigation equipment or systems.

data service provider means a person who holds a certificate under regulation 175.295.

data set has the same meaning as in Annex 15 to the Chicago Convention.

dealer's mark means a mark assigned to an aircraft manufacturer, distributor or dealer under regulation 47.175.

defined point after take-off, for a rotorcraft flying in performance class 2 or performance class 2 with exposure, means the point in the take-off and initial climb stage of the flight before which:

- (a) the rotorcraft may not be able to continue the flight safely with one engine inoperative; and
- (b) a forced landing may be required.

demonstration, for the emergency evacuation of an aircraft, means the emergency evacuation demonstration conducted by the aircraft's manufacturer for the purpose of the type certification of the aircraft.

demonstration additional number, of cabin crew members for an aircraft, means the number by which the number of cabin crew members used in the demonstration for the emergency evacuation of the aircraft is more than the greater of the following:

- (a) if the aircraft has a maximum operational passenger seat configuration of more than 19—one cabin crew member for each 50, or part of 50, passenger seats fitted for the demonstration;
- (b) one cabin crew member for each passenger compartment.

designated aviation medical examiner means:

- (a) a person appointed as a designated aviation medical examiner under Part 67; or

- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.055(1); or
- (c) a person specified in a declaration under subregulation 67.055(2); or
- (d) a person appointed as a designated aviation medical examiner under Part 6 of CAR as in force at any time before 3 September 2003.

designated aviation ophthalmologist means:

- (a) a person appointed as a designated aviation ophthalmologist under Part 67; or
- (b) a person who holds, or is performing the duties of, a position specified in a declaration under subregulation 67.075(1); or
- (c) a person specified in a declaration under subregulation 67.075(2).

Dictionary means this Dictionary.

differences training: see regulation 61.010.

direct costs: the ***direct costs*** of a flight are the costs actually and necessarily incurred in connection with the flight without a view to making a profit.

Example 1: If the aircraft is hired for the flight, the ***direct costs*** of the flight include the following:

- (a) the cost of hiring the aircraft;
- (b) if they are not included in the cost of hiring the aircraft—the cost of the fuel and oil consumed by the aircraft for the flight and the airway and aerodrome fees (if any) for the flight.

Example 2: If the aircraft is not hired for the flight, the ***direct costs*** of the flight include the cost of the following:

- (a) the fuel and oil consumed by the aircraft for the flight;
- (b) the airway and aerodrome fees (if any) for the flight.

Note: The amount of the direct costs of a flight that is paid by the pilot in command is relevant to whether the flight is a cost-sharing flight.

dispensing operation: see subregulation 138.010(3).

dry: a runway is ***dry*** if the surface area required for a take-off or landing:

- (a) has no visible moisture; and
- (b) is not contaminated.

EASA: see ***European Aviation Safety Agency***.

EDTO has the meaning given by the Part 121 Manual of Standards.

elevation has the same meaning as in Annex 4 to the Chicago Convention.

emergency evacuation procedures, for an aircraft, means procedures for the evacuation of the aircraft's passengers and crew from the aircraft in an emergency, and includes pre-evacuation, and post-evacuation, procedures.

emergency parachute: see regulation 105.010.

emergency service operation means an operation involving an aircraft to which all of the following apply:

- (a) the operation is conducted by, or at the request of, an authority of the Commonwealth, a State or a Territory;
- (b) the authority is prescribed by the Part 138 Manual of Standards for the purposes of this paragraph;
- (c) the operation is for:
 - (i) law enforcement purposes; or
 - (ii) the purpose of saving or protecting persons, property or the environment.

employed in private operations: an aircraft is ***employed in private operations*** if the aircraft is used to conduct an operation that is a private operation.

empty weight, for a hang glider, powered hang glider, paraglider or powered paraglider, means the weight of the hang glider, powered hang glider, paraglider or powered paraglider in its airborne configuration, including all fittings and equipment but excluding recovery or personnel parachutes.

engage in conduct means:

- (a) do an act; or
- (b) omit to perform an act.

ETSO: see paragraph 21.601(2)(aa).

EUROCAE ED-76 means the latest version of EUROCAE ED-76, Standards for Processing Aeronautical Data, issued by the European Organisation for Civil Aviation Equipment, as in force from time to time.

Note: EUROCAE ED-76 could in 2014 be viewed on the EUROCAE website (<http://www.eurocae.net>).

European Aviation Safety Agency or ***EASA*** means the European Aviation Safety Agency established by regulation (EC) No 1592/2002 of the European Parliament and the Council of the European Union.

examination means an examination by way of a test of theoretical knowledge or a practical test of knowledge and skill.

examiner has the meaning given by regulation 61.010.

ex-armed forces aircraft: see regulation 132.010.

excluded RPA: see regulation 101.237.

exhibition: see regulation 45.010.

experimental aircraft means an aircraft for which a special certificate of airworthiness is in force under regulation 21.195A.

experimental certificate means an experimental certificate issued under regulation 21.195A.

expiation notice, in relation to a psychoactive substance offence, means a notice requiring or permitting payment of a penalty as an alternative to prosecution.

export airworthiness approval means:

- (a) for a Class I product—an export certificate of airworthiness or an authorised release certificate; and
- (b) for a Class II or Class III product—an authorised release certificate.

export certificate of airworthiness, for a Class I product, means a certificate to the effect that the product meets the requirements mentioned in regulation 21.329.

exposition:

- (a) for an Australian air transport operator, means:
 - (i) the set of documents approved by CASA under regulation 119.075 in relation to the operator; and
 - (ii) if the set of documents is changed under regulation 119.085, 119.095 or 119.105, or in accordance with the process mentioned in regulation 119.100—the set of documents as changed; or
- (b) for an ASAO, means:
 - (i) the set of documents approved by CASA under regulation 149.080 in relation to the ASAO; or
 - (ii) if the set of documents is changed under regulation 149.115 or 149.120, or in accordance with the process mentioned in paragraph 149.340(i)—the set of documents as changed; or
- (c) for a balloon transport operator:
 - (i) the set of documents approved by CASA under regulation 131.085; or
 - (ii) if the set of documents is changed under regulation 131.095, 131.105 or 131.115—the set of documents as changed.

external load operation: see subregulation 138.010(2).

FAA means the Federal Aviation Administration of the United States of America.

FAA letter of TSO design approval: see paragraph 21.601(2)(ca).

FARs means the Federal Aviation Regulations in Chapter 1 (Federal Aviation Administration, Department of Transportation) of Title 14 of the Code of Federal Regulations as published by the Office of the Federal Register National Archives and Records Administration of the United States of America.

final approach and take-off area, for the operation of a rotorcraft at an aerodrome, means the area of the aerodrome:

- (a) from which a take-off is commenced; or
- (b) over which the final phase of approach to hover is completed.

fireproof, in connection with a manufacturer's data plate: see regulation 21.810.

flight base number, of cabin crew members for a flight of an aircraft, means the greater of the following:

- (a) if the aircraft has a maximum operational passenger seat configuration of more than 19—one cabin crew member for each 50, or part of 50, passenger seats fitted for the flight;
- (b) one cabin crew member for each passenger compartment.

flight crew endorsement:

- (a) means a flight crew endorsement within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas endorsement.

flight crew licence:

- (a) means a flight crew licence within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas flight crew licence.

flight crew member means a crew member who is a pilot or flight engineer assigned to carry out duties essential to the operation of an aircraft during flight time.

flight crew rating:

- (a) means a flight crew rating within the meaning of Part 61; and
- (b) includes a certificate of validation of an overseas rating.

flight dispatcher, for an Australian air transport operator, means a person designated by the operator to control and supervise flight operations, including supporting, briefing and assisting pilots in command in the safe conduct of flights.

Note: A flight dispatcher is also known as a flight operations officer.

flight engineer means the holder of a flight engineer licence.

flight examiner: see regulation 61.010.

flight information area means a volume of airspace determined to be a flight information area under subparagraph 5(1)(a)(i) of the *Airspace Regulations 2007*.

flight information service has the same meaning as in Annex 11 to the Chicago Convention.

flight instructor has the meaning given by regulation 61.010.

flight level: a reference to a ***flight level*** followed by a number, in relation to the flight of an aircraft, is a reference to the altitude at which the aircraft's altimeter, if it were adjusted to a reading on the subscale of 1013.2 hectopascals, would show an altitude in feet of 100 times that number.

Example: Flight level 250 is an altitude of 25 000 ft.

flight manual, for an aircraft: see clause 37 of Part 2 of this Dictionary.

flight notification requirements: see subregulation 91.240(1).

flight plan has the same meaning as in Annex 2 to the Chicago Convention.

flight preparation (alternate aerodromes) requirements: see subregulation 91.235(1).

flight preparation (Part 121 alternate aerodromes) requirements: see subregulation 121.170(1).

flight preparation (weather assessments) requirements: see subregulation 91.230(1).

flight radiotelephone operator licence means a flight radiotelephone operator licence issued under Part 5 of CAR.

flight review: see regulation 61.010.

flight service function means the function described in subregulation 65.130(2).

flight service licence means a licence by that name granted under Part 65.

flight simulation training device: see regulation 61.010.

flight simulator, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a simulator that simulates the aircraft in ground and flight operations and comprises:
 - (i) a full size replica of the flight deck of the aircraft; and
 - (ii) a visual system providing an out of the flight deck view; and
 - (iii) a force cueing motion system; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

flight technical log, for an aircraft, means the log required under regulation 42.220 for the aircraft.

flight test: see regulation 61.010.

flight time has the meaning given by regulation 61.010.

flight training: see regulation 61.010.

flight training area, for an aerodrome, means an area that is mentioned in a Part 141 operator's operations manual, or a Part 142 operator's exposition, as a flight training area for the aerodrome.

flight training device, for a specific type (or a specific make, model and series) of aircraft:

- (a) means a device that:
 - (i) simulates the aircraft in ground and flight operations to the extent of the systems installed in the device; and
 - (ii) comprises a full size replica of the instruments, equipment, panels and controls in an open flight deck area, or an enclosed flight deck, of the aircraft; and

- (iii) does not, in every respect, simulate the aircraft in ground and flight operations; and
- (b) includes the necessary software and equipment, and the way that the equipment is interconnected.

flight visibility has the same meaning as in Annex 2 to the Chicago Convention.

flying in formation: 2 or more aircraft are:

- (a) ***flying in formation*** if they:
 - (i) are operating as a single unit with regard to navigation, position reporting and control; and
 - (ii) are so close to each other that any change in height, heading or airspeed of any aircraft used for station-keeping results in a need for one or more of the other aircraft to manoeuvre to maintain station or avoid a collision; and
- (b) taken to be ***flying in formation***:
 - (i) when the aircraft are changing station; and
 - (ii) during join-up or breakaway.

flying training means any training given during flight time in an aircraft for the purpose of increasing a person's skill in flying the aircraft.

foreign aircraft has the same meaning as foreign registered aircraft.

Note: However, a reference to ***foreign aircraft*** or ***foreign registered aircraft*** does not include a state aircraft of a foreign country: see subregulation 3(5) of CAR.

foreign air transport AOC means an AOC that authorises the operation of an aircraft for a foreign air transport operation.

foreign air transport operation:

- (a) means an air transport operation that is conducted by a foreign operator using any aircraft for:
 - (i) a flight into or out of Australian territory; or
 - (ii) a flight wholly within Australia that is undertaken as part of a flight into or out of Australian territory; but
- (b) does not include the following:
 - (i) the operation of an aeroplane or rotorcraft under a permission under section 25 (Non-scheduled flights by foreign registered aircraft) or section 27A (Permission for operation of foreign registered aircraft without AOC) of the Act;
 - (ii) an air transport operation authorised by a New Zealand AOC with ANZA privileges that is in force for Australia.

foreign air transport operator means a person who holds a foreign air transport AOC.

foreign certificate, for a foreign operator, means an air operator certificate issued by the national aviation authority of the foreign country in which the foreign operator has its principal place of business or place of permanent residence.

foreign operator means an operator that is not an Australian operator.

foreign supplemental type certificate: see regulation 21.114.

foreign type certificate: see regulation 21.041.

foreign type certification basis, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a foreign type certificate.

free balloon:

- (a) in Part 101—means a balloon that is not tethered; and
- (b) otherwise—means a balloon that is intended for flight without being permanently tethered.

frequency confirmation system, for an aerodrome, means a ground radio system for the aerodrome that, on receipt of a transmission from an aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

fuelling includes refuelling and defuelling.

gas balloon means a balloon that sustains flight with lighter-than-air gas.

giant model aircraft: see regulation 101.024.

glider means an unpowered, heavier-than-air aircraft that derives its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

graded runway strip includes an area delineated by gable or cone markers.

grant, in relation to a civil aviation authorisation, includes grant by renewal.

gyroglider means a non-power-driven heavier-than-air aircraft supported in flight by the reaction of the air on 1 or more rotors that rotate freely on substantially vertical axes.

gyroplane means a power-driven, heavier than air aircraft supported in flight by the reaction of the air on 1 or more rotors which rotate freely on substantially vertical axes.

hang glider means a glider with some rigid structure:

- (a) that has an empty weight of 70 kg or less; and
- (b) the free flight of which does not depend on an engine.

heading has the same meaning as in Annex 2 to the Chicago Convention.

heavier-than-air aircraft is the generic term for aircraft that derive their lift in flight chiefly from aerodynamic forces.

heavy balloon: see regulation 101.145.

heavy package: see regulation 101.145.

height has the same meaning as in Annex 2 to the Chicago Convention.

helicopter means a heavier-than-air aircraft supported in flight by the reaction of the air on one or more normally power-driven rotors on substantially vertical axes.

helideck means an area intended for use wholly or partly for the arrival or departure of rotorcraft, on:

- (a) a ship; or
- (b) a floating or fixed structure on water.

highly volatile fuel means:

- (a) aviation gasoline; or
- (b) a hydrocarbon mixture that spans the gasoline and kerosene boiling ranges; or
- (c) a mixture of aviation gasoline and a hydrocarbon mixture mentioned in paragraph (b).

high power rocket: see regulation 101.425.

historic aircraft: see regulation 132.010.

holder, of an authorisation (within the meaning given by Part 11), means:

- (a) if the authorisation has not been transferred—the person to whom it was granted; or
- (b) if the authorisation has been transferred—the person to whom it was transferred or, if it has been transferred more than once, the person to whom it was most recently transferred.

hot air airship means a power driven lighter-than-air aircraft where the engine does not create any portion of lift.

hot fuelling, of an aircraft, means the fuelling of the aircraft with an engine running.

human factors principles means principles concerned with the minimisation of human error and its consequences by optimising the relationships within systems between people, activities and equipment.

ICAO Document 8126 means Document 8126-AN/872 (*Aeronautical Information Services Manual*) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

ICAO Document 8697 means Document 8697-AN/889 (*Aeronautical Chart Manual*) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

identification number of a production certificate or type certificate means the number, or group of characters, described in the certificate as being its number.

IFR (short for instrument flight rules) means the rules and procedures set out in Subdivision 91.D.4.3.

IFR flight means a flight conducted under the IFR.

IFR operation means an operation conducted under the IFR.

IMC (short for instrument meteorological conditions) means meteorological conditions other than VMC.

immediately reportable matter has the meaning given by subsection 3(1) of the *Transport Safety Investigation Act 2003*.

in an area, used of the operation of an aircraft: see clause 40 of Part 2 of this Dictionary.

incidental provisions, of an instrument, or part of an instrument, mentioned in these Regulations, means the provisions of the instrument, or part, that are not airworthiness standards.

infant means a person who has not turned 2.

in-house maintenance, for an aeronautical product (the **first aeronautical product**) to be fitted to an aircraft or another aeronautical product (the **second aeronautical product**), means maintenance carried out on the first aeronautical product by a Part 145 organisation that will fit the product to the aircraft or the second aeronautical product.

in-house release document, for an aeronautical product on which in-house maintenance has been carried out, means the document that:

- (a) is issued by the Part 145 organisation that carried out the in-house maintenance; and
- (b) includes a statement to the effect that, in respect of the in-house maintenance, the product is serviceable, within the meaning given by subregulation 42.015(1); and
- (c) includes information enabling the identification of the record mentioned in regulation 42.820 for the product.

inoperative: an item for a flight of an aircraft is **inoperative** if, due to a defect, the item, or a function of the item, does not:

- (a) accomplish its intended purpose; or
- (b) consistently function within the operating limits or tolerances mentioned in the approved design for the item or the flight manual for the aircraft.

instructor has the meaning given by regulation 61.010.

instrument approach operation means an approach and landing:

- (a) conducted using instruments for navigation guidance; and
- (b) based on an authorised instrument approach procedure.

instrument approach procedure means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the

initial approach fix or, where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply.

instrument departure procedure, for an aircraft, means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from take-off until the aircraft reaches:

- (a) the en-route lowest safe altitude; or
- (b) the minimum altitude at which the aircraft, on a minimum climb gradient of 3%, can intercept the planned flight route; or
- (c) in a case where the aircraft has taken off from an aerodrome for which there is a radar control service in operation—the minimum radar vector altitude.

instrument flight procedures means the visual and instrument procedures for use by aircraft operating under the IFR.

Integrated Aeronautical Information Package means a package, in hardcopy or electronic form, consisting of the following:

- (a) the AIP;
- (b) AIP Amendments;
- (c) AIP Supplements;
- (d) NOTAMS and pre-flight information bulletins;
- (e) aeronautical information circulars.

integrated training means an intensive course of training:

- (a) that is designed to ensure that a course participant receives ground theory training integrated with practical flight training; and
- (b) for which:
 - (i) the ground theory training and practical flight training are conducted by the same operator; or
 - (ii) the operator that conducts the practical flight training engages another person or organisation to conduct the ground theory training on behalf of the operator; and
- (c) that is conducted according to a syllabus that satisfies the knowledge and flight standards specified in the Part 61 Manual of Standards for the grant of a private or commercial pilot licence; and
- (d) that is designed to be completed within a condensed period of time.

intermediate category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.026.

internal review decision, of an ASAO: see subregulation 149.605(5).

international operating agency means an international operating agency referred to in Article 77 of the Chicago Convention.

international registration plan means a plan for the registration by an international organisation of aircraft operated, or to be operated, by an international operating agency, being a plan approved by the Council by a determination made in pursuance of Article 77 of the Chicago Convention.

International Regulations means the *International Regulations for Preventing Collisions at Sea, 1972*, in the *Convention on the International Regulations for Preventing Collisions at Sea*, done at London on 20 October 1972, as amended and in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1980 No. 5 ([1980] ATS 5) and could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

in the vicinity of a non-controlled aerodrome: see regulation 91.360.

joint registration plan means a plan for joint registration by Contracting States constituting an international operating agency of aircraft operated, or to be operated, by the agency, being a plan approved by the Council by a determination made in pursuance of Article 77 of the Chicago Convention.

journey log:

- (a) for a Part 121 operation—means the journey log required for the flight by regulation 121.105; or
- (b) for a Part 133 operation—means the journey log required for the flight by regulation 133.075; or
- (c) for a Part 135 operation—means the journey log required for the flight by regulation 135.085.

key personnel:

- (a) for an Australian air transport operator—means the people (however described) that hold, or carry out the responsibilities of, the following positions in the operator's organisation:
 - (i) the positions mentioned in paragraphs (a), (b) and (d) of the definition of **key personnel** in subsection 28(3) of the Act;
 - (ii) the safety manager; or
- (b) for an aerial work operator—means the people (however described) that hold, or carry out the responsibilities of, the following positions in the operator's organisation:
 - (i) chief executive officer;
 - (ii) head of operations;
 - (iii) if the operator is required by regulation 138.125 to have a training and checking system—head of training and checking;
 - (iv) if the operator is required by regulation 138.140 to have a safety management system—safety manager; or
- (c) for an ASAO—means the people (however described) who hold, or carry out the responsibilities of, the following positions in the ASAO's organisation:
 - (i) accountable manager;

- (ii) safety manager;
- (iii) if the ASAO's approved functions include administering aircraft—the manager of the function;
- (iv) any other position with the responsibilities prescribed by the Part 149 Manual of Standards; or
- (d) for a balloon transport operator—means the people (however described) that hold, or carry out the responsibilities of, the positions mentioned in paragraphs (a) and (b) of the definition of **key personnel** in subsection 28(3) of the Act.

kind, of an aircraft, means:

- (a) for an aircraft that is covered by an aircraft type rating—the aircraft type rating; and
- (b) for an aircraft that is not covered by an aircraft type rating—the type of aircraft.

kit-built aircraft means an aircraft described in paragraph 21.191(h).

land and hold short operation means an operation in which the pilot in command of an aircraft:

- (a) lands the aircraft on a runway; and
- (b) stops the aircraft before an intersection with another runway; and
- (c) does not proceed further until instructed to do so by air traffic control.

landing area has the same meaning as in Annex 2 to the Chicago Convention.

landing minima means the minimum values of the following that are used for the purpose of determining whether an aerodrome may be used for landing aircraft:

- (a) visibility, including runway visibility and runway visual range;
- (b) cloud ceiling height.

landing minima requirements for an aerodrome: see regulation 91.307.

landing weight, for a flight of an aircraft, means the total weight of the aircraft, including its load, at landing.

large RPA: see regulation 101.022.

letter of ATSO design approval: see paragraph 21.601(2)(c).

level, in relation to a flight of an aircraft, has the same meaning as in Annex 2 to the Chicago Convention.

licensed means licensed under CASR or CAR.

licensed aircraft maintenance engineer means an individual who holds an aircraft engineer licence that is in force.

life limit, for an aeronautical product that is fitted, or is to be fitted, to a limited category aircraft, has the meaning given by the Part 132 Manual of Standards.

light balloon: see regulation 101.145.

lighter-than-air aircraft is the generic term for aircraft that are supported chiefly by their buoyancy in the air.

light sport aircraft means an aircraft that:

- (a) has:
 - (i) if the aircraft is not intended for operation on water—a maximum take-off weight of 600 kilograms or less; or
 - (ii) if the aircraft is intended for operation on water—a maximum take-off weight of 650 kilograms or less; or
 - (iii) if the aircraft is a lighter-than-air aircraft—a maximum gross weight of 560 kilograms or less; and
- (b) if the aircraft is a powered aircraft that is not a glider—has a single, non-turbine engine fitted with a propeller; and
- (c) has a maximum stall speed in the landing configuration (V_{so}) of 45 knots calibrated air speed; and
- (d) if the aircraft is a glider—has a maximum never-exceed speed (V_{ne}) of 135 knots calibrated air speed; and
- (e) if the aircraft has a cabin—has an un-pressurised cabin; and
- (f) if the aircraft is designed to be equipped with seating—has a maximum seating capacity of 2 persons, including the pilot; and
- (g) if the aircraft is a manned free balloon that is not designed to be equipped with seating—can carry no more than 2 persons; and
- (h) has:
 - (i) in the case of an amphibian—repositionable landing gear; or
 - (ii) in the case of a glider—fixed landing gear or retractable landing gear; or
 - (iii) in any other case—fixed landing gear.

limited category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a special certificate of airworthiness mentioned in regulation 21.189.

limited category aircraft: see regulation 132.010.

limited category certificate: see regulation 132.010.

limited category organisation: see regulation 132.010.

lowest safe altitude, for a route or route segment of a flight of an aircraft, means the lowest altitude that will provide safe terrain clearance for the aircraft for the route or route segment calculated in accordance with a method specified in the Part 173 Manual of Standards, the operator's exposition or the operator's operations manual.

Note: The methods specified in the Part 173 Manual of Standards are also published in the AIP.

low-risk electronic device means:

- (a) a digital mobile telephone; or
- (b) a hand-held personal digital assistant; or
- (c) an electronic device:
 - (i) to which the *IEEE Standard for Information technology—Telecommunications and information exchange between systems—Local and metropolitan area network—Specific requirements Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) Specifications* (as in force from time to time) applies; and
 - (ii) that transmits only in a way that meets that standard.

low-visibility approach means an approach using minima for a runway that are below the category I precision approach minima for the runway published in the AIP.

low-visibility operation means:

- (a) a low-visibility take-off; or
- (b) a low-visibility approach.

low-visibility take-off means a take-off with a runway visual range of less than 550 m.

major, for a modification or repair to a limited category aircraft: see regulation 132.020.

major change, for a type design: see regulation 21.093.

major defect means:

- (a) in relation to an aeronautical product that is not fitted to an aircraft—a defect of such a kind that the aeronautical product, if fitted to an aircraft, may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property; and
- (b) in relation to an aircraft—a defect of such a kind that it may affect the safety of the aircraft or cause the aircraft to become a danger to persons or property; and
- (c) for an emergency parachute—see regulation 105.010; and
- (d) for a reserve parachute—see regulation 105.010.

manned free balloon means a free balloon that:

- (a) is equipped to carry one or more persons; and
- (b) is equipped with controls that enable the altitude of the balloon to be controlled.

markings, for an aircraft: see regulation 45.015.

master minimum equipment list: see regulation 91.925.

Materials Review Board means:

- (a) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a type certificate only—the Materials Review Board established under paragraph 21.125(1)(a); and

- (b) for a manufacturer manufacturing an aircraft, aircraft engine or propeller under a production certificate—the Materials Review Board established under regulation 21.145.

maximum certificated passenger seating capacity, for an aircraft, means the maximum passenger seating capacity permitted under the aircraft's type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate.

maximum landing weight, for an aircraft, means the maximum landing weight for the aircraft permitted by:

- (a) for an aircraft that is type certificated—the flight manual for the aircraft; or
- (b) for an aircraft that is not type certificated:
 - (i) if a document, published by the manufacturer of the aircraft setting out the operating limitations for the aircraft, specifies a weight—that document; or
 - (ii) if no weight is specified in the document mentioned in subparagraph (i), or if a different weight is specified in the certificate of airworthiness for the aircraft—the certificate of airworthiness for the aircraft.

maximum operational passenger seat configuration, for an aircraft, means the maximum passenger seat capacity of the aircraft, excluding crew stations:

- (a) approved by CASA for the operator of the aircraft:
 - (i) for an operator that is not an Australian air transport operator—under regulation 201.030; or
 - (ii) for an Australian air transport operator—as part of the approval of the operator's exposition under Part 119; and
- (b) specified in the operator's operations manual (if any).

maximum passenger seating capacity, for an aircraft, means the maximum number of seats for persons (excluding flight crew and cabin crew) in the aircraft that is:

- (a) approved by CASA; and
- (b) specified in the aircraft operator's operations manual.

maximum payload capacity, for an aircraft, means the maximum payload permitted under the aircraft's type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate.

maximum take-off weight, for an aircraft, means the maximum take-off weight for the aircraft permitted by:

- (a) for an aircraft that is type certificated—the flight manual for the aircraft; or
- (b) for an aircraft that is not type certificated:
 - (i) if a document, published by the manufacturer of the aircraft setting out the operating limitations for the aircraft, specifies a weight—that document; or

- (ii) if the certificate of airworthiness for the aircraft specifies a different weight to the weight specified in the document mentioned in subparagraph (i)—the certificate of airworthiness for the aircraft; or
- (iii) if no weight is specified in the document mentioned in subparagraph (i) or in the certificate of airworthiness for the aircraft and the aircraft is a Part 103 aircraft in relation to which a statement of acceptance for the aircraft has been issued by a Part 103 ASAO in accordance with regulation 103.030—the weight specified in the statement of acceptance.

medical certificate means:

- (a) a medical certificate issued under Subpart 67.C; or
- (b) for the holder of a certificate of validation of an overseas flight crew licence—the holder's overseas medical certificate.

medically significant condition has the meaning given by subregulation 67.010(1).

medical practitioner:

- (a) for Part 61 has the meaning given by regulation 61.010; and
- (b) for Part 67 has the meaning given by subregulation 67.010(1).

medical transport operating site, for a rotorcraft, has the meaning given by the Part 133 Manual of Standards.

medical transport operation: see clause 70 of Part 2 of this Dictionary.

medical transport specialist means:

- (a) a crew member for a flight who carries out a specified function during the flight relating to a medical transport operation, and who is not:
 - (i) a flight crew member for the flight; or
 - (ii) an air crew member for the flight; or
- (b) a crew member, for a flight, of a kind prescribed by the Part 119 Manual of Standards for the purposes of this paragraph.

medium balloon: see regulation 101.145.

medium RPA: see regulation 101.022.

meets the modified Austroads medical standards has the meaning given by regulation 67.262.

MEL: see regulation 91.925.

meteorological information means information:

- (a) that is any of the following kinds:
 - (i) meteorological reports;
 - (ii) meteorological analyses;
 - (iii) meteorological forecasts;
 - (iv) meteorological warnings;

- (v) meteorological advices;
- (vi) revisions or amendments of any of those kinds of information; and
- (b) which may be required for aviation purposes.

micro RPA: see regulation 101.022.

military aerodrome means an aerodrome controlled by a part of the Defence Force.

military aircraft means an aircraft of any part of the Defence Force (including an aircraft that is being constructed for any part of the Defence Force), other than an aircraft that is an Australian aircraft that is registered.

minimum equipment list: see regulation 91.925.

minor change, for a type design: see regulation 21.093.

MMEL: see regulation 91.925.

model, for an aircraft, aircraft engine or propeller, means a particular version of a type of aircraft, aircraft engine or propeller that is distinguished from another version of the same type by a change of sufficient effect on the weight, balance, structural strength, operational characteristics as would require a separate entry on a type certificate, identifying and approving the particular version as distinct from the identification and approval of other versions.

model aircraft: see regulation 101.023.

model rocket: see regulation 101.425.

modification/repair design approval means an approval granted under regulation 21.435 or 21.437.

movement area has the same meaning as in Annex 11 to the Chicago Convention.

multi-crew operation: see regulation 61.010.

multi-flight journey means a journey to a destination that involves more than one flight, if all of the flights are conducted by the same operator using the same aircraft.

national aviation authority, for a foreign country:

- (a) means the authority that is responsible for regulating civil aviation in the country; and
- (b) includes:
 - (i) the national airworthiness authority for the country; and
 - (ii) if EASA carries out functions on behalf of the country—EASA; and
 - (iii) for China, for matters relating to Hong Kong—the Civil Aviation Department of Hong Kong.

navigation specification has the meaning given by the Part 91 Manual of Standards.

navigation system, in relation to an aircraft, means a system by which the aircraft can be navigated.

night means the period between the end of evening civil twilight and the beginning of the following morning civil twilight.

non-command pilot's seat, of an aircraft, means the pilot seat not normally occupied by the pilot in command during a flight of the aircraft.

non-controlled aerodrome means an aerodrome at which an aerodrome control service is not operating.

non-precision approach runway has the same meaning as in Annex 14, Aerodromes, to the Chicago Convention.

non-scheduled air transport operation means an air transport operation that is not:

- (a) a scheduled air transport operation; or
- (b) a medical transport operation.

Note: A non-scheduled air transport operation includes an operation for the carriage, in accordance with fixed schedules to and from fixed terminals, of passengers or cargo, or passengers and cargo, in circumstances in which the accommodation in the aircraft is not available for use by persons generally.

non-technical skills means specific human competencies, including critical decision making, team communication, situational awareness and workload management, which may minimise human error in aviation.

normal cruising speed, for an aeroplane or rotorcraft, means the speed stated in the flight manual for the aeroplane or rotorcraft as a normal cruising speed in International Standard Atmosphere conditions with all engines operating.

NOTAM (short for Notice to Airmen) has the same meaning as in the *Air Services Regulations 2019*.

NOTAM authorised person, of an aeronautical data originator, means a person appointed by the originator as a NOTAM authorised person under regulation 175.445.

NOTAM Office means the office of AA responsible for the publication of NOTAMS.

NVIS flight means a flight conducted using a night vision imaging system.

obstacle limitation surface, of an aerodrome, means a surface associated with the aerodrome that is ascertained in accordance with the requirements prescribed by the Part 139 Manual of Standards for the purposes of this definition.

officer, of a corporation, in Part 149, has the same meaning as in regulation 142.035.

off-shore installation means an installation that is erected on, or floating in the sea above, the continental shelf for the purpose of extracting, or exploring for, petroleum or natural gas.

one-engine-inoperative cruising speed, for an aeroplane, means any speed stated in the aeroplane's flight manual as a cruising speed with one engine inoperative.

operated within the visual line of sight: see subregulation 101.073(3).

operational control, for a flight of an aircraft, means control over the initiation, continuation, diversion or ending of the flight in the interests of the safety of the aircraft and the regularity and efficiency of the flight.

operational flight plan:

- (a) for a Part 121 operation—means a plan that meets the requirements of regulation 121.175; or
- (b) for a Part 133 operation—means a plan that meets the requirements of regulation 133.135; or
- (c) for a Part 135 operation—means a plan that meets the requirements of regulation 135.145.

operational safety-critical personnel, for an Australian air transport operator, an aerial work operator or a balloon transport operator:

- (a) means personnel carrying out, or responsible for, safety-related work, including:
 - (i) personnel carrying out roles that have direct contact with the physical operation of aeroplanes, rotorcraft or Part 131 aircraft used in the operator's Australian air transport operations, aerial work operations or balloon transport operations; and
 - (ii) personnel carrying out roles that have operational contact with personnel who operate aeroplanes, rotorcraft or Part 131 aircraft used in those operations; and
 - (iii) personnel described as operational safety-critical personnel in the operator's exposition or operations manual; but
- (b) does not include personnel who are employed or engaged by the operator (whether by contract or other arrangement) and are engaged in:
 - (i) the provision of continuing airworthiness management services for aeroplanes, rotorcraft or Part 131 aircraft used in the operator's Australian air transport operations, aerial work operations or balloon transport operations; or
 - (ii) carrying out maintenance on an aeroplane, rotorcraft, Part 131 aircraft or aeronautical product on behalf of an approved maintenance organisation.

operations manual means:

- (a) for a limited category organisation—the manual mentioned in subregulation 262AN(2) of CAR for the organisation; or
- (b) for an aerial work operator:

- (i) the set of documents approved by CASA under regulation 138.045 in relation to the operator; or
- (ii) if the set of documents is changed under regulation 138.060, 138.064 or 138.068, or the process mentioned in regulation 138.066—the set of documents as changed.

operations specifications has the same meaning as in Chapter 1 of Part 1 of Annex 6, *Operation of Aircraft*, to the Chicago Convention.

operator, of an aircraft, means:

- (a) if the operation of the aircraft is authorised by an AOC, a Part 141 certificate or an aerial work certificate—the holder of the AOC or certificate; or
- (b) otherwise—the person, organisation or enterprise engaged in aircraft operations involving the aircraft.

operator proficiency check: see regulation 61.010.

organisation, in relation to an ASAO, means the organisation established by the ASAO to perform the approved functions of the ASAO.

other AIS applicable ICAO documents means each of the following documents as approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time:

- (a) ICAO Document 4444-ATM/501 (*Procedures for Air Navigation Services—Air Traffic Management*), subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP;
- (b) ICAO Document 7030 (*Regional Supplementary Procedures*);
- (c) ICAO Document 7910 (*Location Indicators*);
- (d) ICAO Document 8168 (PANS-OPS), subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP;
- (e) ICAO Document 8400 (*ICAO Abbreviations and Codes*);
- (f) ICAO Document 9432 (*Manual of Radiotelephony*);
- (g) ICAO Document 9674 (*World Geodetic System*);
- (h) ICAO Document 9905-AN/471 (*Required Navigation Performance Authorisation Required (RNP AR) Procedure Design Manual*).

overhauled: see paragraph 21.321(2)(d).

overseas endorsement has the meaning given by regulation 61.010.

overseas flight crew licence has the meaning given by regulation 61.010.

overseas medical certificate has the meaning given by regulation 61.010.

overseas rating has the meaning given by regulation 61.010.

PANS-AIM means the Procedures for Air Navigation Services-Aeronautical Information Management approved and published by the Council of the

International Civil Aviation Organization, as in force from time to time, subject to the differences mentioned in Gen 1.7 of Part 1 of the AIP.

parachute has a meaning affected by regulation 105.010.

parachute operator: see regulation 105.010.

parachuting activity: see regulation 105.010.

paraglider means a glider:

- (a) with a wing that is inflated and maintains its profile in flight due to the ram-air pressure of the air through which it moves; and
- (b) that has an empty weight of 70 kg or less; and
- (c) the free flight of which does not depend on an engine.

parasail: see subregulation 200.005(2).

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

Part 42 Manual of Standards means the Manual of Standards issued by CASA under regulation 42.020.

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

Part 47 Manual of Standards means the Manual of Standards issued by CASA under regulation 47.012.

Part 61 Manual of Standards means the Manual of Standards issued by CASA under regulation 61.035.

Part 91 Manual of Standards means the Manual of Standards issued by CASA under regulation 91.040.

Part 101 Manual of Standards means the Manual of Standards issued by CASA under regulation 101.028.

Part 103 activity: see regulation 103.010.

Part 103 aircraft: see subregulations 103.005(4), (5) and (6).

Part 103 ASAO: see regulation 103.010.

Part 103 Manual of Standards means the Manual of Standards issued by CASA under regulation 103.015.

Part 105 ASAO: see regulation 105.010.

Part 105 Manual of Standards means the Manual of Standards issued by CASA under regulation 105.015.

Part 119 Manual of Standards means the Manual of Standards issued by CASA under regulation 119.045.

Part 121 Manual of Standards means the Manual of Standards issued by CASA under regulation 121.015.

Part 121 operation means an operation mentioned in subregulation 121.005(1).

Part 121 proficiency check means a proficiency check that complies with regulation 121.580.

Part 131 aircraft: see subregulation 131.005(2).

Part 131 ASAO means an ASAO whose approved functions include administering a Part 131 recreational activity.

Part 131 Manual of Standards means the Manual of Standards issued by CASA under regulation 131.055.

Part 131 pilot authorisation means:

- (a) a commercial pilot (balloon) licence; or
- (b) a CAR certificate of validation; or
- (c) an authorisation from a Part 131 ASAO that authorises the holder to operate a Part 131 aircraft; or
- (d) a flight radiotelephone operator licence.

Part 131 recreational activity: see subregulation 131.025(1).

Part 132 Manual of Standards means the Manual of Standards issued by CASA under regulation 132.040.

Part 133 Manual of Standards means the Manual of Standards issued by CASA under regulation 133.020.

Part 133 operation means an operation mentioned in regulation 133.005.

Part 135 Manual of Standards means the Manual of Standards issued by CASA under regulation 135.025.

Part 135 operation means an operation mentioned in regulation 135.005.

Part 138 Manual of Standards means the Manual of Standards issued by CASA under regulation 138.020.

Part 139 Manual of Standards means the Manual of Standards issued by CASA under regulation 139.005.

Part 141 certificate: see regulation 141.015.

Part 141 operator: see subregulation 141.015(3).

Part 142 operator: see subregulation 142.015(4).

Part 145 organisation means a person who holds an approval under regulation 145.030 that is in force.

Part 149 Manual of Standards means the Manual of Standards issued by CASA under regulation 149.010.

Part 175 Manual of Standards means the Manual of Standards issued by CASA under regulation 175.025.

passenger, in relation to an aircraft, means a person:

- (a) who:
 - (i) intends to travel on a particular flight on the aircraft; or
 - (ii) is on board the aircraft for a flight; or
 - (iii) has disembarked from the aircraft following a flight; and
- (b) who is not a crew member of the aircraft for the flight.

passenger transport operation has the meaning given by clause 75 of Part 2 of the Dictionary.

passenger with reduced mobility means a person who is likely to require special conditions and assistance to find and use an exit on board an aircraft in an emergency because:

- (a) the person's mobility is impaired; or
- (b) the person has another impairment.

performance class means:

- (a) performance class 1; or
- (b) performance class 2; or
- (c) performance class 2 with exposure; or
- (d) performance class 3.

performance class 1, for a stage of flight of a rotorcraft, has the meaning given by the Part 133 Manual of Standards.

performance class 2, for a stage of flight of a rotorcraft, has the meaning given by the Part 133 Manual of Standards.

performance class 2 with exposure, for a stage of flight of a rotorcraft, has the meaning given by the Part 133 Manual of Standards.

performance class 3, for a stage of flight of a rotorcraft, has the meaning given by the Part 133 Manual of Standards.

permit index number, for an aircraft for which a limited category certificate has been issued: see regulation 132.010.

personnel:

- (a) for an Australian air transport operator, an aerial work operator or a balloon transport operator, includes any of the following persons who have duties or responsibilities that relate to the safe conduct of the operator's Australian air transport operations, aerial work operations or balloon transport operations:
 - (i) an employee of the operator;

- (ii) a person engaged by the operator (whether by contract or other arrangement) to provide services to the operator;
- (iii) an employee of a person mentioned in subparagraph (ii); or
- (b) for an ASAO, includes any of the following persons who have duties or responsibilities that relate to the safe performance of the ASAO's approved functions:
 - (i) an employee of the ASAO;
 - (ii) a person engaged by the ASAO (whether by contract or other arrangement) to provide services to the ASAO;
 - (iii) an employee of a person mentioned in subparagraph (ii);
 - (iv) a person appointed by the ASAO to perform an approved function on behalf of the ASAO.

pilot, used as a verb, has the meaning given by regulation 61.010.

pilot certificate means a certificate (however described) that:

- (a) is granted by a sport aviation body; and
- (b) authorises its holder to pilot an aircraft, other than a registered aircraft, in an aviation activity administered by the organisation.

pilot in command, in relation to a flight of an aircraft, means the pilot designated by the operator of the aircraft as being in command and charged with the safe conduct of the flight.

pilot in command under supervision has the meaning given by regulation 61.010.

pilot instructor: see regulation 61.010.

pilot licence: see regulation 61.010.

pilot-owner, of an aircraft, means an individual who:

- (a) owns the aircraft; and
- (b) is authorised, under Part 61, to fly the aircraft.

polar region means the area:

- (a) north of 78°N; or
- (b) south of 60°S.

populous area includes a city and a town.

power-assisted sailplane means a powered sailplane that has insufficient performance with the engine operating to achieve the applicable take-off and climb performance criteria for powered sailplanes specified by the airworthiness standards prescribed by regulation 22.001 of CASR.

powered aircraft means an aircraft that is propelled by an engine or engines.

powered hang glider means a hang glider with an engine attached that has, when the engine is not being operated, the characteristics of a hang glider.

powered-lift aircraft means a power-driven heavier-than-air aircraft that derives its lift in flight:

- (a) during vertical manoeuvring and low-speed flight—from:
 - (i) the reaction of air on one or more normally power-driven rotors on substantially vertical axes; or
 - (ii) engine thrust; and
- (b) otherwise—chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

powered parachute means a single-seat or two-seat power-driven aircraft with a ram-air parachute wing, to which all of the following apply:

- (a) the aircraft has a single non-turbine engine and a single propeller;
- (b) the aircraft has a maximum take-off weight not exceeding 600 kilograms;
- (c) the aircraft has, when the engine is not being operated, the characteristics of a parachute.

powered paraglider means a paraglider with an engine attached that has, when the engine is not being operated, the characteristics of a paraglider.

powered sailplane means a sailplane equipped with one or more engines that has, when the engine or engines are not being operated, the characteristics of a sailplane.

prescribed single-engine aeroplane: see regulation 135.240.

primary category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.024.

private operation: an operation of an aircraft is a **private operation** if the operation is not one of the following:

- (a) an operation that is required to be conducted under the authority of an AOC under Part 119, 129 or 131 or regulation 206 of CAR;
- (b) an operation that is required to be conducted under the authority of an aerial work certificate under Part 138;
- (c) Part 141 flight training (within the meaning of Part 141);
- (d) a Part 142 activity (within the meaning of Part 142);
- (e) an adventure flight for a limited category aircraft;
- (f) a specialised balloon operation that is conducted for hire or reward;
- (g) an operation authorised by a New Zealand AOC with ANZA privileges that is in force for Australia;
- (h) an operation under a permission under subsection 25(2) or (3) (non-scheduled flights by foreign registered aircraft) or section 27A (permission for operation of foreign registered aircraft without AOC) of the Act.

production certificate means a production certificate issued under subregulation 21.134(1).

prohibited area:

- (a) has the same meaning as in Annex 11 to the Chicago Convention; and
- (b) in relation to Australian territory—includes an area designated as a prohibited area by a declaration made under subregulation 6(1) of the *Airspace Regulations 2007*.

protective breathing equipment means equipment that is designed to prevent a person from having to breathe in, and to protect the person's eyes from, toxic gases and fumes.

provisional certificate of airworthiness means a Class I or Class II provisional certificate of airworthiness.

provisional type certificate means a Class I or Class II provisional type certificate.

psychoactive substance: see clause 60 of Part 2 of this Dictionary.

psychoactive substance offence means an offence:

- (a) of which an element is the possession, use or excessive use of a psychoactive substance; or
- (b) of which the substance is importing, or trafficking in, a psychoactive substance; or
- (c) of which an element is being under the influence of a psychoactive substance; or
- (d) of which an element is the presence, or the presence at a concentration higher than a particular concentration, in the blood, breath or urine of a psychoactive substance or a metabolite of such a substance; or
- (e) the substance of which is refusal to provide a blood, breath or urine sample for analysis; or
- (f) of attempting to commit, inciting the commission of or conspiring to commit an offence referred to in paragraph (a), (b), (c), (d) or (e).

Note: ***Psychoactive substance*** includes alcohol but does not include coffee, tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine, or caffeine-containing confectionery—see Part 2 of this Dictionary.

public gathering means an assembly of people at a place on the basis of a general public invitation to attend at that place, whether or not a charge is made for attendance.

published lowest safe altitude, for a route or route segment for a flight of an aircraft, means the lowest safe altitude for the route or route segment published in authorised aeronautical information.

qualified flight simulator means a flight simulator that is qualified under Part 60 of CASR.

qualified flight training device means a flight training device that is qualified under Part 60 of CASR.

radio navigation aid means a standard radio navigation aid of a kind mentioned in section 2.1.1 of Chapter 2 of Volume 1 of Annex 10 to the Chicago Convention.

radionavigation service means a radio navigation service within the meaning of Annex 10 to the Chicago Convention.

radio station licence means:

- (a) for an Australian aircraft—an apparatus licence or class licence issued under the *Radiocommunications Act 1992* for the radiocommunications equipment on board the aircraft; or
- (b) for a foreign registered aircraft—a document:
 - (i) that is equivalent to a document mentioned in paragraph (a); and
 - (ii) that is issued by the authority of the aircraft's State of registry that issues radio licences.

recognised country: see regulation 21.010B.

rectification interval: see regulation 91.925.

recurrent training means the training of the personnel of an aircraft operator or the operator of a flight simulation training device that is conducted to ensure that the personnel are competent to carry out their responsibilities.

Regional Air Navigation Agreement means a Regional Air Navigation Agreement approved by decision of the Council of the International Civil Aviation Organisation.

registered, in relation to an Australian aircraft, means:

- (a) in the case of an aircraft to which Division 47.C.1 applies—registered under Division 47.C.1; or
- (b) in the case of an aircraft to which Division 47.C.2 applies—registered under Division 47.C.2.

Note: For the definition of **foreign registered aircraft**, see section 3 of the Act.

registered operator, of an aircraft, has the meaning given by regulation 47.100.

registered training organisation has the meaning given by section 3 of the *National Vocational Education and Training Regulator Act 2011*.

registration holder, of an aircraft, means the person whose name is entered in the Australian Civil Aircraft Register as:

- (a) in the case of an aircraft registered under Division 47.C.1—the aircraft's owner; and
- (b) in the case of an aircraft that is an RPA registered under Division 47.C.2—the person who applied for the registration of the aircraft.

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

relevant airworthiness standards means:

- (a) for an aircraft that conforms to a type certificate issued, or taken to have been issued, under regulation 21.013A or 21.029—the airworthiness standards included in the type certification basis for the aircraft; or
- (b) for an aircraft for which a type acceptance certificate has been issued, or is taken to have been issued, under regulation 21.029A—the airworthiness standards that the aircraft had to meet for the issue of the foreign type certificate that was the basis for issuing the type acceptance certificate.

relevant approved design organisation, in relation to a design activity, within the meaning given by regulation 21.233, and an aircraft or aeronautical product of a particular kind, means an approved design organisation that is approved under Subpart 21.J to carry out that design activity in relation to aircraft or aeronautical products of that kind.

remote pilot licence means a licence granted under Division 101.F.3.

required, in relation to a flight crew member for a flight: see subregulation 91.605(2).

required navigational performance, for an area of airspace, or a route, means the navigational performance specified in the AIP for that area of airspace or route.

reserve parachute: see regulation 105.010.

reserve parachute assembly: see regulation 105.010.

restricted area:

- (a) has the same meaning as in Annex 11 to the Chicago Convention; and
- (b) in relation to Australian territory—includes an area designated as a restricted area by a declaration made under subregulation 6(1) of the *Airspace Regulations 2007*.

restricted category, for an aircraft, means the category of aircraft that satisfy the requirements for issue of a type certificate mentioned in regulation 21.025.

restricted person means:

- (a) a deportee (within the meaning of subsection 5(1) of the *Migration Act 1958*); or
- (b) a removee (within the meaning of subsection 5(1) of the *Migration Act 1958*); or
- (c) a person in custody; or
- (d) a passenger carried on an aircraft:
 - (i) who is on the aircraft because the passenger has been refused entry to a country; or
 - (ii) whose passport does not include a visa required for entry to the passenger's destination country.

rocket means a pilotless vehicle powered by reaction that carries all the components necessary to provide its jet.

rotorcraft means:

- (a) a helicopter; or
- (b) a gyroplane; or
- (c) a powered-lift aircraft.

route segment means a portion of a route.

RPA: see regulation 101.021.

RPAS (short for remote pilot aircraft system) means a set of configurable elements consisting of a remotely piloted aircraft, its associated remote pilot station (or stations), the required command and control links and any other system elements as may be required at any point during the operation of the aircraft.

RPL training course means training in the operation of RPA for the grant of a remote pilot licence that is conducted:

- (a) by a person who is certificated under regulation 101.335 and whose operations include conducting training; and
- (b) in accordance with any standards or requirements prescribed by the Part 101 Manual of Standards.

RTCA/DO-200A means the latest version of RTCA/DO-200A, Standards for Processing Aeronautical Data, issued by RTCA, Inc, as in force from time to time.

Note: RTCA/DO-200A could in 2014 be viewed on the RTCA's website (<http://www.rtca.org>).

runway strip means a defined area at an aerodrome, including the runway and stopway (if any) to which it relates, that is intended to:

- (a) reduce the risk of damage to aircraft running off the runway; and
- (b) protect aircraft flying over the area during take-off, landing or a missed approach.

runway visual range means the range, measured using an electronic instrument, over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

RVSM airspace means any of the following:

- (a) the airspace, at or above flight level 290, identified in the AIP as airspace where a vertical separation minimum of 1,000 ft applies;
- (b) the airspace, at or above flight level 290, designated, or otherwise recognised, by the appropriate authority of a foreign country to be airspace where a vertical separation minimum of 1,000 ft applies;
- (c) airspace, at or above flight level 290, where a vertical separation of 1,000 ft applies under the terms of a Regional Air Navigation Agreement.

safety-critical aeronautical product, for a limited category aircraft: see regulation 132.025.

safety management system, for an Australian air transport operator, means the safety management system set out in the operator's exposition.

safety manager, of an ASAO, means the individual, appointed by the ASAO, who is responsible for the safety management system required by regulation 149.270.

sailplane means a glider:

- (a) that has an empty weight of more than 70 kg; and
- (b) the free flight of which does not depend on an engine.

scheduled air transport operation means an air transport operation, other than a medical transport operation, that is conducted:

- (a) in accordance with fixed schedules to and from fixed terminals over specific routes with or without intermediate stopping places between terminals; and
- (b) in circumstances in which the accommodation in the aircraft is available for use by persons generally.

seaplane includes an aeroplane with a floating hull.

search and rescue body means any of the following:

- (a) a State or Territory police service or the Australian Federal Police;
- (b) the Australian Defence Force;
- (c) the Australian Maritime Safety Authority.

significant change:

- (a) for an Australian air transport operator: see regulation 119.020; or
- (b) for a balloon transport operator: see regulation 131.030; or
- (c) for an aerial work operator: see regulation 138.012.

single-pilot operation has the meaning given by regulation 61.010.

small balloon: see regulation 101.145.

small RPA: see regulation 101.022.

solo, in relation to a flight of an aircraft, has the meaning given by regulation 61.010.

special certificate of airworthiness: see regulation 21.175.

special class, for aircraft: see subregulation 21.017(2).

special condition means a special condition imposed under subregulation 21.016(1).

special flight authorisation means an authorisation granted under regulation 91.970.

special flight permit means a special flight permit issued under regulation 21.200.

specialised balloon operation: see regulation 131.020.

specialised helicopter operation means a helicopter operation that involves the carriage of persons or cargo:

- (a) between the coast of Australia and an off-shore installation; or
- (b) between off-shore installations; or
- (c) to or from the helipad of:
 - (i) a hospital; or
 - (ii) a State or Territory service (however described) established to provide assistance in emergencies.

special purpose operation, for an aircraft in the limited category, means an operation mentioned in subregulation 21.189(3).

special VFR means:

- (a) for an aircraft other than a Part 131 aircraft—the visual flight rules prescribed by the Part 91 Manual of Standards; or
- (b) for a Part 131 aircraft—the visual flight rules prescribed by the Part 131 Manual of Standards.

specified aircraft performance category, for an aircraft, means the aircraft performance category prescribed for an aircraft's V_{AT} (as worked out in accordance with the aircraft's flight manual) by the Part 91 Manual of Standards.

specified IFR cruising level, for a track, means a cruising level prescribed by the Part 91 Manual of Standards for an IFR flight on the track.

specified VFR cruising level, for a track, means a cruising level prescribed by the Part 91 Manual of Standards for a VFR flight on the track.

sport aviation body means:

- (a) Australian Ballooning Federation Incorporated; or
- (b) Australian Parachute Federation Limited; or
- (c) Australian Sport Rotorcraft Association Incorporated; or
- (d) Recreational Aviation Australia Limited; or
- (e) The Gliding Federation of Australia Incorporated; or
- (f) Sports Aviation Federation of Australia Limited; or
- (fa) the Australian Skydiving Association Incorporated; or
- (fb) an ASAO; or
- (g) a body established in a Contracting State to administer sport aviation in that State.

stage, of flight of a rotorcraft, means any of the following:

- (a) take-off;
- (b) take-off and initial climb;
- (c) en route;
- (d) approach and landing, or baulked landing.

Note: The definition of **performance class** relates to a stage of flight of a rotorcraft. The definition of **stage** is used in these Regulations only in the context of a performance class.

standard certificate of airworthiness: see regulation 21.175.

standard part means a part that complies with a specification that:

- (a) is established, published and maintained by:
 - (i) an organisation that sets consensus standards for products; or
 - (ii) a government agency; and
- (b) includes:
 - (i) design, manufacturing, test and acceptance criteria; and
 - (ii) requirements for the uniform identification of the part.

Example: For subparagraph (a)(i), the Institute of Electrical and Electronics Engineers—see <http://www.ieee.org/portal/site>.

standard RPA operating conditions: see regulation 101.238.

standard visual signal means a light, hand or ground signal:

- (a) prescribed by the Part 91 Manual of Standards for the purposes of this paragraph; and
- (b) displayed, for the purposes of communicating with an aircraft, in accordance with the requirements, or in the circumstances, (if any) prescribed by the Part 91 Manual of Standards for the purposes of this paragraph.

State includes the Northern Territory.

State, of an operator, means the country in which the operator's principal place of business is located or, if the operator does not have a principal place of business, the country in which the operator's permanent residence is located.

State of Design has the meaning given by Annex 8 to the Chicago Convention.

State of registry, for a foreign registered aircraft, means the foreign country on whose register the aircraft is entered.

student pilot means:

- (a) for aircraft other than Part 131 aircraft—a person who is authorised to pilot an aircraft under regulation 61.112; or
- (b) for Part 131 aircraft—a person who:
 - (i) does not hold a commercial pilot (balloon) licence within the meaning of subregulation 5.01(1) of CAR; and
 - (ii) is receiving balloon flying training within the meaning of that subregulation.

suitable forced landing area:

- (a) for a Part 133 operation—see regulation 133.010; and
- (b) for a Part 135 operation—see regulation 135.015.

suitable person: a person is a ***suitable person*** to occupy an emergency exit row seat or a seat adjacent to an emergency exit if the person:

- (a) is reasonably fit, strong, and able to assist with the rapid evacuation of the aircraft in an emergency; and
- (b) would not, because of a condition or disability, including an inability to understand oral instructions, hinder:
 - (i) other passengers during an evacuation of the aircraft in an emergency; or
 - (ii) the aircraft's crew in carrying out their duties in an emergency.

supplemental oxygen means oxygen that is provided to an occupant of an aircraft by purpose-designed equipment to supplement the oxygen available in the atmosphere inside the aircraft.

supplemental type certificate means a supplemental type certificate issued under regulation 21.113A.

synthetic training device means:

- (a) a flight simulator; or
- (b) a flight training device; or
- (c) a basic instrument flight trainer.

take-off decision point, for a take-off of a rotorcraft, means the point, mentioned in the rotorcraft's flight manual, from which, if an engine failure is recognised:

- (a) the take-off may be safely rejected; or
- (b) the take-off may be continued safely.

take-off minima means the minimum values of the following that are used to determine whether an aerodrome may be used for the take-off of aircraft:

- (a) visibility, including runway visibility and runway visual range;
- (b) cloud ceiling height.

take-off minima requirements for an aerodrome: see regulation 91.307.

take-off weight, for a flight of an aircraft, means the total weight of the aircraft, including its load, at the start of:

- (a) for an aeroplane—its take-off run; or
- (b) for a rotorcraft—its take-off manoeuvre.

tandem parachutist: see regulation 105.010.

task specialist: see subregulations 138.015(1) and (2).

task specialist operation: see subregulation 138.010(4).

TAWS-Class A has the meaning given by the Part 121 Manual of Standards.

TAWS-Class B has the meaning given by the Part 121 Manual of Standards.

terminal instrument flight procedure means an instrument approach procedure or instrument departure procedure.

Territory does not include the Northern Territory.

tethered, in relation to a lighter-than-air aircraft, means attached to the ground, or an object on the ground, by flexible restraints that limit movement.

tethered balloon: see regulation 101.105.

these Regulations includes CAR.

threshold, of a runway, means the beginning of that portion of a runway that is useable for landing.

time-in-service means:

- (a) for an aircraft—each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight; and
- (b) for an aircraft engine or propeller that is fitted to an aircraft—each period starting when the aircraft takes off for a flight and ending when the aircraft lands at the end of the flight.

touring motor glider means a powered sailplane that:

- (a) has an integrally mounted, non-retractable, engine and a non-retractable propeller; and
- (b) is capable of taking off and climbing under its own power according to the touring motor glider's flight manual.

tour of duty, for a flight crew member:

- (a) means a period from when the member begins any duties associated with his or her employment before making a flight or series of flights until the member is finally relieved of all such duties after the end of the flight or flights; and
- (b) includes a period during which the member is required by an operator to hold himself or herself available at an aerodrome for the performance of any such duties.

track means the projection on the earth's surface of the path of an aircraft, the direction of which at any point is usually expressed in degrees from North (true or magnetic).

traffic information has the same meaning as in Annex 11 to the Chicago Convention.

traffic pattern means the path over the ground of aircraft in flight in the vicinity of an aerodrome during the execution of take-offs and landings and their paths when manoeuvring on the manoeuvring area.

trainee parachutist: see regulation 105.010.

training endorsement: see regulation 61.010.

TSO: see paragraph 21.601(2)(ab).

type, for an aircraft, aircraft engine or propeller, means a design and make of aircraft, aircraft engine or propeller and, where appropriate, refers to a group of essentially similar aircraft, aircraft engines or propellers which, although possibly existing in different models, stem from a common basic design.

type acceptance certificate means a type acceptance certificate issued under regulation 21.029A.

type certificate: see regulation 21.041.

type certificated means issued with a type certificate or type acceptance certificate.

type certificate data sheet means a sheet attached to a type certificate for an aircraft, aircraft engine or propeller that sets out the limitations prescribed by the applicable airworthiness requirements for the aircraft, aircraft engine or propeller, and any other limitations and information necessary for type certification of the aircraft, aircraft engine or propeller.

type certification basis, for an aircraft, aircraft engine or propeller, means the airworthiness standards and any special conditions or other conditions with which the aircraft, aircraft engine or propeller must comply for the issue of a type certificate.

type design: see regulation 21.031.

unmanned free balloon means a free balloon that:

- (a) is not tethered; and
- (b) is not equipped to carry persons.

Note: There are 4 different kinds of unmanned free balloons: see regulation 101.145.

unpowered aircraft means an aircraft other than a powered aircraft.

variant: see regulation 61.010.

V_{AT} is short for velocity at threshold.

very light aeroplane means an aeroplane of a kind mentioned in clause CS-VLA 1 of EASA CS-VLA, as in force from time to time.

very small RPA: see regulation 101.022.

VFR (short for visual flight rules) means:

- (a) for Part 131 aircraft—the rules and procedures set out in Subdivision 131.D.4.2; or
- (b) for all other aircraft—the rules and procedures set out in Subdivision 91.D.4.2.

VFR flight means a flight conducted under the VFR.

VFR operation means an operation conducted under the VFR.

visibility means the ability, as determined by atmospheric conditions and expressed in units of distance, to see and identify prominent unlighted objects by day and prominent lighted objects by night.

VMC (short for visual meteorological conditions) means meteorological conditions that meet the VMC criteria.

VMC criteria:

- (a) for a class of aircraft (other than Part 131 aircraft) and a class of airspace (including flight visibility and distance from cloud)—means the criteria prescribed for the class of aircraft and class of airspace by the Part 91 Manual of Standards; and
- (b) for Part 131 aircraft and a class of airspace (including flight visibility and distance from cloud)—means the criteria prescribed for the aircraft and class of airspace by the Part 131 Manual of Standards.

V_{SO} means the stalling speed or the minimum steady flight speed in the landing configuration.

Source FARs section 1.2.

weight and balance documents, for a flight of an aircraft, are the documents that set out the aircraft's load for the flight and the distribution of the load during the flight.

weight and balance limits, for an aircraft, means the weight and balance limits set out in the aircraft flight manual instructions for the aircraft.

weight-shift-controlled aeroplane means an aeroplane where flight control is attained primarily by weight-shift.

wet: a runway is **wet** if the surface area required for a take-off or landing:

- (a) is not dry; and
- (b) is not contaminated.

Part 2—Interpretation of certain expressions not defined in Part 1

1 Parts and materials excluded from the definition of *aeronautical product*

- (1) For the definition of *aeronautical product* in section 3 of the Act, a part or material that is part of or used in an aircraft is excluded if:
 - (a) the part or material:
 - (i) is not mentioned in the approved design for the aircraft; and
 - (ii) is not approved in a manner mentioned in regulation 21.305 or 21.305A; or
 - (b) the part or material is mentioned in a legislative instrument issued under subclause (2).
- (2) For subsection 98(5A) of the Act, CASA may issue a legislative instrument that specifies that a part or material is excluded from the definition of *aeronautical product* in section 3 of the Act.

3 Definition of *air transport operation*

- (1) An *air transport operation* is a passenger transport operation, a cargo transport operation or a medical transport operation, that:
 - (a) is conducted for hire or reward; or
 - (b) is prescribed by an instrument issued under regulation 201.025.
- (2) Despite subclause (1), an *air transport operation* does not include an aerial work operation or a balloon transport operation.

5 When an aircraft is *airworthy*

Note: This clause is reserved for future use.

15 Reference to Annexes to Chicago Convention

In these Regulations, a reference to an Annex to the Chicago Convention is a reference to that Annex as in force from time to time.

18 Meaning of *authorised release certificate*

- (1) For the purposes of CAR:

authorised release certificate, for an aircraft component, means a document that complies with regulation 42WA of CAR.
- (2) For the purposes of CASR:

authorised release certificate, for an aeronautical product, means:

- (a) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by or under Part 21—a document:
 - (i) issued by the manufacturer of the product; and
 - (ii) that includes a statement to the effect that the product is serviceable, within the meaning given by subregulation 42.015(1); or
- (b) if maintenance has not been carried out on the product since its manufacture, and the manufacture of the product was permitted by the law of a foreign country—a document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (a); or
- (c) if maintenance has been carried out on the product under these Regulations—a certificate of release to service for the product in relation to the maintenance issued under Division 42.H.4 that is in the approved form; or
- (d) if maintenance has been carried out on the product under the law of a foreign country—a document of a kind specified in the Part 42 Manual of Standards as being equivalent to a document mentioned in paragraph (c).

Note 1: For paragraph (a), Part 21 permits the manufacture of aeronautical products in a number of ways, including under APMAs, ATSO authorisations, type certificates and production certificates.

Note 2: For paragraph (c):

- (a) a certificate of release to service for an aeronautical product in relation to maintenance carried out on an aeronautical product that is not in-house maintenance must be in the approved form: see subregulation 42.810(1); and
- (b) a certificate of release to service for an aeronautical product in relation to in-house maintenance carried out on an aeronautical product must either be in the approved form or be in the form of an in-house release document: see subregulation 42.810(2).

25 Extended meaning of *charged with* in relation to certain offences

- (1) In these Regulations:

charged with has, in addition to its ordinary meaning, the meaning given by subclause (2).

- (2) For the purposes of these Regulations, a person is taken to have been *charged with* a psychoactive substance offence if:
 - (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
 - (b) such a notice is issued to the person in relation to the offence.

35 Extended meaning of *convicted*

- (1) In these Regulations:

convicted has, in addition to its ordinary meaning, the meaning given by subclauses (2), (3) and (4).

- (2) For the purposes of these Regulations, a person is taken to have been **convicted** of an alleged offence if:
 - (a) the person has not been found guilty of the offence but asks for the offence to be taken into account when being sentenced for another offence; or
 - (b) the person has been found guilty of the offence but discharged without conviction.
- (3) In addition, a person is taken to have been **convicted** of a psychoactive substance offence if:
 - (a) a law provides for the issue, in relation to the offence, of an expiation notice; and
 - (b) such a notice was issued to the person in relation to the offence; and
 - (c) the person paid the penalty required by the notice.
- (4) However, a conviction that is spent (within the meaning of Part VIIC of the *Crimes Act 1914*), or has been quashed, is not taken to be a conviction for the purposes of these Regulations.

36 References to particular kinds of flight crew licences, ratings and endorsements

A reference in these Regulations to a particular kind of flight crew licence, rating or endorsement:

- (a) means a flight crew licence, rating or endorsement of that kind that may be granted under Part 61 (Flight crew licensing); and
- (b) includes a certificate of validation of an overseas flight crew licence that is equivalent to that kind of flight crew licence, rating or endorsement.

Example 1: For paragraph (a), a reference to a commercial pilot licence is a reference to a commercial pilot licence granted under Part 61.

Example 2: For paragraph (a), a reference to an aeroplane low-level endorsement is a reference to an aeroplane low-level endorsement granted under Part 61.

Example 3: For paragraph (b), a reference to a commercial pilot licence includes a reference to a certification of validation of an overseas flight crew licence that is equivalent to a commercial pilot licence granted under Part 61.

37 References to *flight manual*

- (1) A reference in these Regulations to an aircraft's ***flight manual***:
 - (a) is a reference to:
 - (i) if the aircraft's type certification basis required the provision of an aircraft flight manual—that manual; or
 - (ii) if regulation 21.005 applies to the aircraft—the manual that must be given to the owner of the aircraft under that regulation; or
 - (iii) for an aircraft not mentioned in subparagraph (i) or (ii)—another document that contains the aircraft's operating limitations and other information required for safe operation of the aircraft; and
 - (b) includes each amendment to the flight manual that:

- (i) is approved by CASA, an authorised person or an approved design organisation under regulation 21.006A; or
 - (ia) is approved by a person mentioned in subclause (2); or
 - (ii) is made at the direction of CASA under Subpart 11.G; or
 - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the national aviation authority that issued the foreign type or supplemental type certificate; and
 - (c) includes each supplement to the flight manual that:
 - (i) is approved by CASA, an authorised person or an approved design organisation under regulation 21.006A; or
 - (ia) is approved by a person mentioned in subclause (2); or
 - (ii) is made at the direction of CASA under Subpart 11.G; or
 - (iii) relates to a foreign type certificate in relation to which CASA has issued a type acceptance certificate or a foreign supplemental type certificate, and is approved by the national aviation authority that issued the foreign type or supplemental type certificate.
- (2) For subparagraphs (1)(b)(ia) and (1)(c)(ia), the persons are the following:
- (a) if there is an agreement (however described) between Australia and a Contracting State for the acceptance of approvals of changes to aircraft flight manuals—the national aviation authority of the Contracting State, or a person authorised to do so by the national aviation authority;
 - (b) if there is an agreement (however described) between CASA and the national aviation authority of a Contracting State for the acceptance of approvals of changes to aircraft flight manuals—the national aviation authority or a person authorised to do so by the national aviation authority.

40 References to operating an aircraft in an area

In these Regulations, a reference to operating an aircraft in an area is a reference to operating the aircraft in the airspace above the area.

45 References to EASA certification specifications

In these Regulations, a reference to EASA, followed by the letters CS, a hyphen and a number, letter or letters, is a reference to the certification specifications, including airworthiness codes and acceptable means of compliance, produced by EASA and identified by that number, letter or letters.

50 References to pilot-in-command

Note: This clause is reserved for future use.

60 Meaning of *psychoactive substance*

- (1) In these Regulations:

psychoactive substance has, subject to subclause (2), the meaning given by section 1.1 of Annex 1, *Personnel Licensing*, to the Chicago Convention.

Note: The definition in that Annex is:

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

(2) To avoid doubt, in these Regulations:

psychoactive substance:

(a) includes:

- (i) a therapeutic substance that is a psychoactive substance within the meaning given by Annex 1 to the Chicago Convention; and
- (ii) a therapeutic substance of which a psychoactive substance (within the meaning given by that Annex) is an ingredient; but

(b) does not include:

- (i) tea, cocoa, chocolate or any other non-alcoholic drink containing caffeine or guarana; or
- (ii) confectionery containing caffeine or guarana.

(3) In paragraph (a) of the definition of ***psychoactive substance*** in subclause (2):

therapeutic substance means a substance that is therapeutic goods, within the meaning given by the *Therapeutic Goods Act 1989*.

65 Recognised foreign training providers

Note: This clause is reserved for future use.

70 Definition of *medical transport operation*

(1) A ***medical transport operation*** is an operation:

- (a) the primary purpose of which is to transport one or more of the following:
 - (i) medical patients;
 - (ii) medical personnel;
 - (iii) blood, tissue or organs for transfusion, grafting or transplantation; or
- (b) of a kind prescribed by the Part 119 Manual of Standards for the purposes of this paragraph.

Note: Other medical supplies (including medical equipment and medicines) might also be transported on an aircraft for a medical transport operation.

(2) Despite subclause (1), an operation is not a ***medical transport operation*** if the operation is of a kind prescribed by the Part 119 Manual of Standards for the purposes of this subclause.

75 Definition of *passenger transport operation*

(1) A ***passenger transport operation*** is an operation of an aircraft that involves the carriage of passengers, whether or not cargo is also carried on the aircraft.

- (2) Despite subclause (1), an operation is not a *passenger transport operation* if the operation is:
- (a) an operation of an aircraft with a special certificate of airworthiness; or
 - (b) a cost-sharing flight; or
 - (c) a medical transport operation; or
 - (d) if the registered operator of an aircraft is an individual—an operation of the aircraft:
 - (i) that involves the carriage of that individual; and
 - (ii) does not also involve the carriage of other passengers; or
 - (e) if the registered operator of an aircraft is an individual—an operation of the aircraft:
 - (i) that involves the carriage of that individual; and
 - (ii) involves the carriage of other passengers; and
 - (iii) for which no payment or reward is made or given in relation to the carriage of the other passengers or cargo.

Part 3—Definitions for this Part, Parts 42, 66, 145 and 147 and Subparts 202.BA, 202.CG, 202.GE and 202.GG

1 General

In this Part, Parts 42, 66, 145 and 147, and Subparts 202.BA, 202.CG, 202.GE and 202.GG:

aircraft type training, for a rating, means the training for the rating delivered by a maintenance training organisation in accordance with a course plan for the training approved by CASA under regulation 147.030.

approval rating:

- (a) for a Subpart 42.F organisation—has the meaning given by subregulation 42.015(1); and
- (b) for a Part 145 organisation—has the meaning given by subregulation 145.010(1).

aviation industry standard means a document specified in the Part 42 Manual of Standards as an aviation industry standard.

base maintenance, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being base maintenance for the organisation.

CAR maintenance activities means the following activities conducted under Part 4A of CAR:

- (a) carrying out maintenance on a registered aircraft to which Part 42 does not apply, or on an aircraft component or aircraft material for an aircraft of that kind;
- (b) certifying the completion of maintenance carried out on an aircraft or aircraft component;
- (c) issuing a maintenance release for an aircraft;
- (d) endorsing a maintenance release for an aircraft;
- (e) issuing an authorised release certificate for an aircraft component.

CAR maintenance activities subcontractor, for an approved maintenance organisation: see clause 21.

carries out maintenance, in relation to an approved maintenance organisation, has the meaning given by subclause 5(5).

carrying out maintenance on an aeronautical product has the meaning given by subclause 5(2).

carrying out maintenance on an aircraft has a meaning affected by clause 5.

category A licence means a subcategory A1, A2, A3 or A4 aircraft engineer licence.

category B1 licence means a subcategory B1.1, B1.2, B1.3 or B1.4 aircraft engineer licence.

category B2 licence means a category B2 aircraft engineer licence.

category C licence means a category C aircraft engineer licence.

category training, for a category A, B1 or B2 licence, means training in the required units of competency for the licence or rating.

certification authorisation means an authorisation that an approved maintenance organisation grants to an individual in accordance with the Part 42 Manual of Standards or the Part 145 Manual of Standards to do either or both of the following on behalf of the organisation:

- (a) perform maintenance certifications;
- (b) issue certificates of release to service.

certifying employee, for particular maintenance, means an individual who holds a certification authorisation that is in force from an approved maintenance organisation for the maintenance.

employee, in relation to an approved maintenance organisation, includes:

- (a) a maintenance services subcontractor; and
- (b) a CAR maintenance activities subcontractor.

excluded State means a foreign country specified as an excluded State in the Part 66 Manual of Standards.

exempt public authority has the meaning given by section 9 of the *Corporations Act 2001*.

foreign company means:

- (a) a body corporate:
 - (i) that is incorporated in an external Territory, or outside Australia and the external Territories; and
 - (ii) that is not an exempt public authority; or
- (b) an unincorporated body that:
 - (i) is formed in an external Territory, or outside Australia and the external Territories; and
 - (ii) under the law of its place of formation, may sue or be sued, or may hold property in the name of its secretary or of an officer of the body duly appointed for that purpose; and
 - (iii) does not have its head office or principal place of business in Australia.

foreign licence means:

- (a) a licence that:
 - (i) is granted under a national aviation law of a foreign country, other than a foreign country that is an excluded State; and

- (ii) complies with Annex 1, *Personnel Licensing*, to the Chicago Convention; and
- (iii) deals with the provision of maintenance services; or
- (b) an authorisation that:
 - (i) is issued by a foreign company, other than a foreign company incorporated or formed in an excluded State; and
 - (ii) deals with the provision of maintenance services; or
- (c) a licence mentioned in paragraph (a) and an authorisation mentioned in paragraph (b) that together deal with the provision of maintenance services.

instructions for continuing airworthiness, for an aircraft or aeronautical product, has the meaning given by clause 10.

large aircraft means:

- (a) an aeroplane that:
 - (i) has a maximum take-off weight of more than 5 700 kg; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b)(ii) of the definition of small aircraft; or
- (b) an aeroplane that:
 - (i) has a maximum take-off weight of not more than 5 700 kg; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft; or
- (c) a helicopter that:
 - (i) has more than 1 engine; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d)(ii) of the definition of small aircraft; or
- (d) a helicopter that:
 - (i) has only 1 engine; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a large aircraft.

line maintenance, for a Part 145 organisation, means maintenance on an aircraft that CASA has approved in the organisation's exposition as being line maintenance for the organisation.

maintenance certification means a certification performed under Division 42.H.2.

maintenance data has the meaning given by clause 15.

maintenance services means the following:

- (a) carrying out maintenance on an aircraft or an aeronautical product;
- (b) performing maintenance certification for maintenance carried out on an aircraft;

- (c) issuing a certificate of release to service for an aircraft or aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product.

maintenance services subcontractor, for an approved maintenance organisation, has the meaning given by clause 20.

maintenance training means category training or aircraft type training.

maintenance training organisation means a person who holds an approval under regulation 147.030 that is in force.

Part 66 Manual of Standards means the Manual of Standards issued by CASA under regulation 66.015.

Part 145 Manual of Standards means the Manual of Standards issued by CASA under regulation 145.015.

Part 147 Manual of Standards means the Manual of Standards issued by CASA under regulation 147.015.

permitted aircraft type means an aircraft type, within the meaning given by regulation 66.010, specified in the Part 66 Manual of Standards as one for which an approved maintenance organisation may arrange for the manufacturer of the aircraft or the aircraft engine to provide training and assessment.

permitted training means:

- (a) training and assessment for an aircraft type, within the meaning given by regulation 66.010, aircraft system or subset of an aircraft system specified in the Part 66 Manual of Standards as one for which a Part 145 organisation may provide training and assessment; or
- (b) training and assessment for a permitted aircraft type.

provides has the meaning given by clause 25.

rating means an authorisation granted under regulation 66.080 or 66.095, being a permission:

- (a) to perform maintenance certification, under a category B1 or B2 licence, for maintenance carried out on a particular aircraft type; or
- (b) to issue a certificate of release to service, under a category B1, B2, or C licence, for an aircraft of a particular aircraft type in relation to maintenance carried out on the aircraft.

recognised State means a foreign country specified as a recognised State in the Part 66 Manual of Standards.

small aircraft means:

- (a) an aeroplane that:
 - (i) has a maximum take-off weight of not more than 5 700 kg; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (b)(ii) of the definition of large aircraft; or

- (b) an aeroplane that:
 - (i) has a maximum take-off weight of more than 5 700 kg; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft; or
- (c) a helicopter that:
 - (i) has only 1 engine; and
 - (ii) is not of a type and model specified in the Part 42 Manual of Standards for subparagraph (d)(ii) of the definition of large aircraft; or
- (d) a helicopter that:
 - (i) has more than 1 engine; and
 - (ii) is of a type and model specified in the Part 42 Manual of Standards as a small aircraft.

specialist maintenance means:

- (a) for a Subpart 42.F organisation:
 - (i) maintenance specified in the Part 42 Manual of Standards as specialist maintenance; and
 - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation; and
- (b) for a Part 145 organisation:
 - (i) maintenance specified in the Part 145 Manual of Standards as specialist maintenance; and
 - (ii) maintenance that CASA has approved in the organisation's exposition as being specialist maintenance for the organisation.

supervising, in relation to maintenance being carried out, has the meaning given by clause 30.

type rated aircraft type, for an aircraft engineer licence, means an aircraft type, within the meaning given by regulation 66.010, specified in the Part 66 Manual of Standards as a type rated aircraft type for the licence.

unit of competency means a unit of the Australian Qualifications Framework Aeroskills Training Package, as in force from time to time.

5 Definitions relating to carrying out maintenance

Meaning of carrying out maintenance on an aircraft

- (1) A reference to carrying out maintenance on an aircraft includes:
 - (a) carrying out maintenance on an aeronautical product that is fitted to the aircraft at the time the maintenance is carried out; and
 - (b) carrying out maintenance on an aeronautical product that is not fitted to the aircraft at the time the maintenance is carried out, in the circumstances mentioned in subclause (3) or (4).

Meaning of carrying out maintenance on an aeronautical product

- (2) A reference to ***carrying out maintenance on an aeronautical product*** is a reference to carrying out maintenance on an aeronautical product that is not fitted to an aircraft at the time the maintenance is carried out, other than in the circumstances mentioned in subclause (3) or (4).
- (3) The circumstances are that:
 - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
 - (b) the removal of the removed product is permitted, by the maintenance data for maintenance to be carried out on the removed product, for the purpose of improving access for the carrying out of maintenance on that product; and
 - (c) the removed product is returned to the same location on the aircraft at the completion of the maintenance for which it was removed.
- (4) The circumstances are that:
 - (a) the aeronautical product (the ***removed product***) is removed from a location on the aircraft; and
 - (b) the removal of the removed product is for the purpose of carrying out maintenance that is necessary to rectify a defect in the removed product; and
 - (c) the maintenance data for the maintenance does not require the use of specified tools or equipment for carrying out the maintenance; and
 - (d) the removed product is returned to the same location on the aircraft at the completion of the maintenance; and
 - (e) the serviceability of the removed product can be tested, using an aircraft system, after the removed product is returned to the aircraft.

Carrying out of maintenance by approved maintenance organisations

- (5) An approved maintenance organisation ***carries out maintenance*** if the maintenance is carried out on the organisation's behalf by an individual.

10 Meaning of *instructions for continuing airworthiness*

- (1) ***Instructions for continuing airworthiness***, for an aircraft or aeronautical product, means written instructions, as in force from time to time:
 - (a) that specify requirements, procedures and standards for the continuing airworthiness of the aircraft or aeronautical product; and
 - (b) that are:
 - (i) issued by any of the persons mentioned in subclause (2); or
 - (ii) for an aircraft or aeronautical product for which there is a design for a modification or repair that is taken to have been approved under subregulation 21.465 or 21.470—included, or referred to, in the document that contains the design.
- (2) The persons are the following:

- (a) the holder of the type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate for the aircraft or aeronautical product;
- (b) the holder of any of the following for the design of a modification of, or a repair to, the aircraft or aeronautical product:
 - (i) a modification/repair design approval; or
 - (ii) an approval mentioned in regulation 21.475; or
 - (iii) an approval that continues in force under regulation 202.054, 202.055 or 202.056;
- (c) the manufacturer of the aircraft or aeronautical product.

15 Meaning of *maintenance data*

- (1) Subject to subclauses (2), (3) and (4), ***maintenance data***, for maintenance to be carried out on an aircraft or aeronautical product, means procedures for carrying out the maintenance, as in force from time to time, that are mentioned in:
 - (a) the instructions for continuing airworthiness for the aircraft or aeronautical product; or
 - (b) if the instructions for continuing airworthiness do not include procedures for carrying out the maintenance—an aviation industry standard that applies to the maintenance.
- (2) Subject to subclauses (3) and (4), if, at a particular time:
 - (a) a Part 145 organisation is carrying out maintenance on an aircraft or aeronautical product; and
 - (b) the organisation has written a procedure for carrying out the maintenance;
 then, at that time, the procedure written by the organisation is the ***maintenance data*** for the maintenance for the organisation.
- (3) Subject to subclause (4), if, at a particular time:
 - (a) a continuing airworthiness management organisation is providing continuing airworthiness services for an aircraft; and
 - (b) the organisation has written a procedure for carrying out the maintenance on the aircraft or on an aeronautical product fitted to the aircraft;
 then, at that time, the procedure written by the organisation is the ***maintenance data*** for the maintenance for the aircraft or aeronautical product.
- (4) If, at a particular time, an airworthiness directive that applies to an aircraft or aeronautical product mentions a procedure for carrying out the maintenance, then, at that time, the procedure in the airworthiness directive is the ***maintenance data*** for the maintenance.

20 Meaning of *maintenance services subcontractor*

- (1) A person is a ***maintenance services subcontractor*** in relation to an approved maintenance organisation if the person is a party to a written contract with the organisation to provide maintenance services on behalf of the organisation.

- (2) An employee of a maintenance services subcontractor under subclause (1) is also a ***maintenance services subcontractor***.

21 Meaning of *CAR maintenance activities subcontractor*

- (1) A person is a ***CAR maintenance activities subcontractor*** in relation to an approved maintenance organisation if the person is a party to a written contract with the organisation to undertake CAR maintenance activities on behalf of the organisation.
- (2) An employee of a CAR maintenance activities subcontractor under subclause (1) is also a ***CAR maintenance activities subcontractor***.

25 Meaning of *provides*

An organisation ***provides*** any of the following services or training if its employees provide the service or training for or on behalf of the organisation:

- (a) maintenance services;
- (b) permitted training;
- (c) continuing airworthiness management services;
- (d) maintenance training.

30 Meaning of *supervising*

A person (the ***supervisor***) is ***supervising*** the carrying out of maintenance done by another person if the supervisor:

- (a) is physically present at the place that the maintenance is being carried out; and
- (b) is observing the maintenance being carried out to the extent necessary to enable the supervisor to form an opinion as to whether the maintenance is being carried out properly; and
- (c) is available to give advice to, and answer questions about the maintenance from, the person carrying it out.