# CASR Part 135 Key Operational Changes with Suggested Text

### Guide to using this document

This document is intended to assist persons who will conduct air transport operations under Part 135 or Subpart 121.Z of CASR to prioritise their actions to transition to the new flight operations regulations. It highlights the key changes in Part 135 affecting those operations (compared with the rules in force up to 2 December 2021), describes who is affected by each key change and what operators must do. Throughout the document ‘operators’ means operators under CASR Part 135 and Subpart 121.Z, unless otherwise stated.

#### Suggested operator action

Part 119 of CASR provides the underpinning organisational regime for the air transport regulations. Operators should review their existing manuals against the Part 119 key changes document before reviewing their manuals against the key operational changes for Part 135.

In this version of the document we have added a column titled ‘suggested text’. It contains additional information for use by operators when updating their existing procedures, including suggested text, which may include notes or instructions on how to use it. In most cases, modification will be required to suit operator circumstances.

This column also identifies requirements for which:

* no text is required to be inserted into your existing manuals, for example due to the rule being administrative only
* no suggested text is provided, if it is not practical for CASA to provide generic sample text that would be usable by most operators.

It has been anticipated that operators will take advantage of the deferrals available to them and sample text has not been provided for the deferred provisions at this time.

Consistent with the terms of the CEO Declaration that must be signed and provided to CASA by 1 December 2021 in order to continue operations on 2 December 2021, CASA expects operators to use their best endeavours to understand and address the changes (including by updating their documented procedures) needed to operate safely under the new rules from 2 December 2021.

#### Guidance material

For guidance relating to specific regulatory provisions, refer to the [Part 135 AMC/GM](https://www.casa.gov.au/node/54978) document.

Further guidance information on Part 135 of CASR can be found [here](https://www.casa.gov.au/search-centre/rules/part-135-casr-australian-air-transport-operations-smaller-aeroplanes).

This document is structured as follows:

|  |  |  |
| --- | --- | --- |
| Section | Description | Page |
| [Colour coded key to changes](#_Colour_coded_key) | Key changes are colour coded, for example new requirements are shaded a light blue. | 2 |
| [Summary of deferred provisions](#_Summary_of_deferred) | Two tables summarise key Part 135 changes that are being deferred beyond the 2 December 2021 flight operations regulations commencement date. The deferrals apply to certain operators, as previously communicated. You should not rely on them unless you are sure they apply to your operations. | 2 |
| [Key changes in force from 2 December 2021](#Dec2) | This section is the main focus of this document. It details the key operational changes applicable from 2 December 2021. | 3 |
| [Compliance no later than 2 March 2023](#_Compliance_no_later) | This section identifies the Part 135 requirements that are deferred until 2 March 2023 that relate to training and checking. The deferrals apply to certain operators only and are subject to conditions set out in CASA EX87/21 – Flight Operations Regulations – SMS, HFP&NTS and T&C Systems – Supplementary Exemptions and Directions Instrument 2021 (CASA 87/21)*.* | 17 |
| [Compliance no later than 4 December 2023](#_Compliance_no_later_1) | This section identifies the Part 135 requirement that is deferred until 4 December 2023 that relates to minimum equipment lists. The deferral applies to certain operators only and is subject to conditions set out in *CASA EX85/21 – Part 135, Subpart 121.Z and Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021* (CASA EX85/21). | 19 |

### Colour coded key to changes

#### 35 key changes, characterised as follows:

20 rules with new requirements (1 overlaps an existing requirement with significant change). These requirements may not be in an operator’s existing manual.

6 rules with requirements that carry over an existing requirement with significant change (1 overlaps a new requirement). These requirements may be in an operator’s existing manual.

2 rules with administrative changes that affect operators. The changes may require adjustments to text in an operator’s existing manual.

8 rules with requirements covering existing rule topics but the new rule is less restrictive, therefore no suggested text is provided in this document.

### Summary of deferred provisions

#### Compliance no later than 2 March 2023

| Reg  number | Regulation title | Who the deferral applies to |
| --- | --- | --- |
| 135.405 | Pilot in command in non-command pilot’s seat | An operator who, immediately before 2 December 2021:   * held an AOC, or was an early applicant for an AOC or an AOC variation, that authorised charter operations or aerial work (air ambulance) operations, and * was not subject to a requirement under subregulation 217 (1) of CAR to provide a training and checking organisation for the operations or for an aeroplane used in the operations. |
| 135.455 | English proficiency (air crew) |
| 135.460 | Training and checking (medical transport specialists) |

#### Compliance no later than 4 December 2023

| Reg  number | Regulation title | Who the deferral applies to |
| --- | --- | --- |
| 135.045 | Operator to have minimum equipment list for certain flights | An operator of an aeroplane who, immediately before 2 December 2021 held an AOC, or was an early applicant for an AOC or an AOC variation, that:   * authorised charter operations, or aerial work (air ambulance) operations, in the aeroplane, and * did not authorise regular public transport operations in the aeroplane. |

### Key changes in force from 2 December 2021

| Reg  number | Regulation title | 135  MOS | Old rule/ref | Regulatory context comment and overview of actions (where necessary) | Suggested text |
| --- | --- | --- | --- | --- | --- |
| 135.010 | Compliance with Part 121 provisions |  |  | *Introduces an administrative change that affects operators who also conduct operations under Part 121*  Background  Introduced to allow flexibility for operators who will operate aeroplanes under both Part 135 and 121.  Requirement  Where there is a provision in Part 121 about the same matter and you comply with that provision, you are taken to comply with the Part 135 provision.  Guidance material  CASA will be publishing guidance in the near future. | *No text required* |
| 135.015 | Definition of suitable forced landing area for aeroplane flights |  |  | Existing rule topic but less restrictive for operators and pilots  This definition is fundamental to the over water rules and the PSEA (the new term for ASETPA) rules. Regulation 135.015 provides that areas of water can be suitable forced landing areas, subject to certain conditions.  Guidance material  [AC 135-13 Prescribed single-engine aeroplanes](https://www.casa.gov.au/prescribed-single-engine-aeroplanes). | No text required |
| 135.050 | Availability of checklists |  | CAR 232  CAO 20.13 | *Existing rule topic but less restrictive for operators*  This regulation consolidates previous check system rules and removes the requirement for the check system to be approved by CASA. It requires checklists be made available to crew members before they begin to carry out a duty for a flight. | *No text required*  This requirement is generally less restrictive. |
| 135.080 | Keeping and updating documents etc. | 3.03 |  | *A new requirement for operators*  Background  This regulation contains new prescriptive requirements for information to be included in the exposition – passenger list relevance.  Requirements  For passenger transport operations, include in your exposition procedures for:   * keeping the passenger list accessible to a person on the ground for the duration of a flight * providing updated information to a person on the ground (if the updated list is not kept on the ground) * providing information about the content of the list to another person. | **Note 1**: The passenger list is the only document specified in the MOS reference. The easiest method is to use a form that includes the information required by regulation 135.090.  **Note 2**: Operations manuals should have procedures for operations staff to manage the list, including who is responsible and the methods of retention and communication.  Passenger lists  For multi-sector flights where passenger details are known, the pilot will prepare a passenger list using Form XXX on paper or electronically and forward it to operations. If a suitable company representative is available on the ground at the point of departure who can forward it to operations, the pilot may leave the list with this person.  If a flight is planned into an area where normal channels of communication such as mobile reception for email or text do not exist before take-off, or are unlikely to exist, the company satellite phone is to be carried.  Changes to previous passenger lists or submission of new lists are to be made using the satellite phone.  The operations personnel in receipt of the passenger list must have the passenger list immediately available to AMSA or another recognised search and rescue authority (such as the Police) for search and rescue purposes at all times during the flight of the aircraft. |
| 135.085 | Journey logs |  |  | *A new requirement for operators and the pilot in command*  Introduced to align with ICAO requirements. Provides flexibility for information to be contained in another document or readily available source.  Requirements  For each flight:   * prepare a journey log that contains the information in subregulations 135.085 (3) and (5), and a place for PIC verification * comply with the pre-flight and post-flight completion of journey log requirements * carry the journey log on the aeroplane (subregulation 135.065 (1) and Part 135 MOS 3.01).   (Subregulation 135.085 (7) provides an alleviation for certain flights that are a medical transport operation).  Identified shortcoming and interim solution  This regulation requires that entries for certain items need to be made at a time that is not appropriate or is unduly restrictive.  CASA EX85/21 provides that certain log entries may be made not later than as soon as reasonably practicable after the flight ends. The relevant entries relate to the time the flight begins, the place of arrival, and incidents and observations during the flight. | **Note**: This provision introduces a new title for information most likely already captured by operators. The simplest method is to combine the information on one form.  Journey log  The pilot must complete a journey log for all flights. The journey log information required is outlined on the combined operational flight plan journey log/ form. The pilot must complete items marked with an asterix\* on this form pre-flight and must complete all items on the form as soon as practicable after the flight ends and save it to the company records management system.  \*Operators should specify on the form which items are to be entered pre-flight. |
| 135.090 | Passenger lists |  | CAR 139  CAO 20.16.1 clause 7 | *Carries over an existing requirement with significant change for operators who conduct passenger transport operations*  Background  A changed requirement - contains a new requirement for infants to be recorded and requires the preparation of the list. No requirement for retention of the passenger list at the departure aerodrome – replaced with the requirement for retention by the operator.  Requirement  When a passenger transport flight begins, ensure a passenger list (or other document or readily available source) contains the information mentioned in subregulation 135.090 (2). | *No text required*  Operators should ensure their passenger list pro-forma is updated to the new requirement. |
| 135.095 | Flight preparation forms for flights that begin or end outside Australian territory |  | CARs 139 and 233 | *Carries over an existing requirement with significant change for operators and the pilot in command of international flights*  Background  This regulation contains requirements from the CAR that have been consolidated and enhanced.  Requirement  At the commencement of a flight that begins or ends outside Australia, ensure a flight preparation form has been prepared and certified by the PIC that they are satisfied of the matters mentioned in subregulation 135.095 (3). | *No text required*  Operators carrying out foreign flights will already have procedures and should update the forms to meet the new requirements – administrative change only. |
| 135.110 | Information about search and rescue services |  |  | *A new requirement for operators*  Background  Introduced to align with ICAO requirements and to ensure pilots have correct information regarding SAR services.  Requirement  Provide a means for ensuring that when a flight begins, information about SAR services relevant to the flight is readily accessible to the flight crew members for the flight. | **Note 1**: An operator’s current manuals may include document carriage requirements. Information about search and rescue services is in the ERSA, which is part of AIP. If AIP is not already in the operator’s list of required documents it could be added. Otherwise, this text could be used to replace the existing list.  Documents to be carried on flights  The following documents and manuals must be carried on all flights. Electronic copies are acceptable for the following:   * The applicable aircraft flight manual (AFM) and supplements (if applicable) * Aircraft checklists * Parts of the exposition relating to crew duties and conduct of the flight * Instructions for use of computerised navigation equipment (if fitted) * Minimum equipment list if IFR * Maps, charts and AIP or equivalent for the flight * Flight technical log or maintenance release or equivalent Form XXXX * The operational flight plan/journey log for the flight Form XXXX * Passenger list (if passengers are carried) Form XXXX * Aerodrome data for the departure, destination and alternate (if not in AIP) * The flight notification (if required) for the flight \* * The weight and balance documents for the flight \* * NOTAMS and AIS briefing for the flight \* * Weather forecasts for the planned route and any alternate \* * Identification and procedures for any person on board that requires special consideration during flight or evacuation \* * SMS reporting Form XXXX \*.   Hard copies of the following are required:   * The flight crew licences and medical certificates for all flight crew members * A photographic identification document issued by a government authority or a passport for all flight crew members.   **Note 2:** If the flight is conducted VFR by day and remains within 50nm of the departure aerodrome the documents marked with an asterix\* must be available to the pilot immediately before the flight but need not be carried. In this circumstance the journey log is required however the operational flight plan is not required. |
| 135.115 | Information about emergency and survival equipment | 3.04 |  | *A new requirement for operators*  Background  Introduced to align with ICAO requirements and ensure correct information is available to the SAR services.  Requirement  Provide a means for ensuring that when a flight begins, the information prescribed by section 3.04 of the Part 135 MOS is available for immediate communication to a rescue coordination centre. | **Note 1**: The MOS lists the information required about each item. Flight notification forms have areas where the information can be recorded. Operators should direct the pilot to complete the flight notification and leave a copy with the operator.  **Note 2**: A survival ELT can substitute for an automatic ELT unless a life raft is required by Part 91 MOS in which case it must have either 2 survival ELTs or one of each of an automatic and survival ELT. Refer to Division 26.12 of the Part 91 MOS.  Operators may already have information on this topic. The existing text could be amended, or this complete section could be added.  Information about emergency and survival equipment  The pilot is to ensure that the following information is included on a flight plan and that a copy of the plan is provided to operations prior to departure. This document could be provided via email, text or in hard copy. Where a SARTIME for arrival is submitted instead of a flight plan or flight note, the pilot must ensure the following information is directly provided to operations:   * **Life raft**   The number, colour and type of the life raft carried must be entered into the flight notification. The life raft must have the capacity to carry each adult and child on the aeroplane and be equipped with a survivor locator light and a portable emergency locator transmitter.   * **Signalling device**   The number, colour and type of any signalling device carried must be entered into the flight notification.   * **First aid kit**   The pilot must ensure that at least one first aid kit of a type sufficient for the aircraft passenger complement is serviceable and present prior to flight. Details of the contents of the kit are to be entered into the appropriate section of the flight notification for the flight.   * **Survival ELT**   The type and frequency of the transmitter carried must be entered into the flight notification.   * **Water as an item of survival equipment**   The amount of water carried as part of the survival equipment is to be entered into the appropriate section of the flight notification for the flight. |
| 135.120 | Crew activities necessary for safe operation |  |  | *A new requirement for operators and crew members*  Introduces a requirement for all operators to have sterile cockpit rules. Provides circumstances for an exception during a medical transport operation.  Requirement  Ensure that during the specified phases of flight, crew members are not required to carry out activities other than those necessary for the safe operation of the aeroplane. | **Note**: Sample text is one method suitable for IFR and VFR operations, Operators can customise this.  Sterile cockpit procedure during critical phases of flight  The pilot shall only perform duties essential to the aircraft’s safety during each of the following critical phases of flight:   * from immediately prior to the start procedure until above the LSALT * from immediately prior to TOPD checks until the after landing checks are complete * at all times when in the terminal area of controlled airspace or the movement area of a controlled aerodrome.   During these periods, activities such as eating, non-essential conversation, completing documentation or non-essential data entry are not to be performed. |
| 135.125 | Competence of ground support personnel |  |  | *A new requirement for operators with personnel who carry out ground support duties for a flight*  Background  Clarifies operator responsibilities regarding ground personnel which were not specified in previous rules.  Requirement  Ensure that, prior to a member of your personnel carrying out a ground support duty for a flight, they have:   * successfully completed the required training, and * been assessed as competent to carry out the duty.   (Refer to Subpart 119.J for record keeping requirements).  Identified shortcoming and interim solution  There is an exemption in force in relation to this regulation and ground support personnel who are not direct employees of the operator. Refer to section 9A of CASA EX85/21 for full details and conditions of the exemption.  There is an exemption in force in relation to this regulation and ground support personnel who are under training and are direct employees of the operator. Refer to section 9B of CASA EX85/21 for full details and conditions of the exemption. | This is a new requirement.  **Note**: Ground support personnel do not necessarily need to be encompassed by the operator’s training and checking system.  Ground support personnel  Ground support personnel are people coming into physical contact with an aircraft for a flight. These include:   * loaders and baggage handlers * persons who tow the aircraft * others as required.   The HOFO will ensure that all ground support personnel have received training in and found competent to carry out their assigned duties safely. This training and assessment can be carried out by a pilot authorised to fly the aircraft. |
| 135.135 | Operational control |  |  | *A new requirement for operators*  Background  This regulation requires the operator to include procedures in their exposition, formalising their arrangements for exercising operational control where responsibilities for certain matters might be shared between the PIC and certain other ground-based operator personnel (for example a person performing flight dispatch duties).  Requirement  Include in your exposition the procedures for determining how operational control for a flight is to be exercised and by whom, for example:   * who is responsible for the initiation, continuation, diversion, or termination of a flight, and * the duties to be carried out when exercising the responsibilities. | **Note**: This new requirement only affects operators who may employ and nominate persons other than the pilot to exercise the functions mentioned in the definition.  No suggested text provided. |
| 135.160 | IFR flights to or from foreign countries that do not use ICAO procedures |  |  | *A new requirement for operators who conduct international operations*  Background  Previously not stipulated in the rules. Introduced to recognise changes since the old rules were created.  Requirement  If applicable to your operation, include in your exposition the instrument approach and departure procedures for the aerodrome that are approved by the national aviation authority of the country. | No suggested text provided.  Operators to foreign countries could elect to publish extracts of the AAI for the foreign aerodrome, including a process to ensure validity of the information. |
| 135.165 | Authorised instrument approach procedures not in the AIP |  |  | *A new requirement for operators who conduct IFR flights*  Background  This regulation contains a requirement to include information in the exposition if an aeroplane will conduct an instrument approach to an aerodrome for which an authorised instrument approach procedure is not published in the AIP.  Previously not stipulated in the rules. Introduced to recognise changes since the old rules were created.  Requirement  If applicable to your operation, include in your exposition the authorised instrument approach procedure/s for the aerodrome/s. | No suggested text provided.  Operators should publish the applicable IAP in their exposition as required. |
| 135.175 | Stabilised approach requirements |  |  | A new requirement for operators  Background  This regulation has been introduced to recognise common safety practices since the old rules were created and requires content to be included in the exposition.  Requirement  Include in your exposition procedures about conducting stabilised approaches. | The suggested text provided represents common industry practice. Operators can customise the text provided or use previously published procedures. Where marked ‘XX’, operators should insert figures relevant to their operation and aeroplane requirements.  Stabilised approach criteria  The pilot must fly a stabilised approach to land at an aerodrome. A stabilised approach means:  By 1000ft AGL:   * Aircraft either in level flight or on descent with less than XX ft/min sink rate; and * Below first stage flap/gear extension speed whichever is higher; and * Not accelerating.   From 500 ft AGL on the descent:   * Aircraft on the correct flight path and only small changes in heading/pitch/power are required to maintain it, and * Speed is not more than VREF + XX knots indicated airspeed and not less than VREF, and * Aircraft is in the correct landing configuration, and * Sink rate is no greater than XX ft/min, and * Power setting is appropriate for the aircraft configuration.   **Note:** To be considered stable, Instrument landing system (ILS) and RNAV (GNSS) approaches must be within XX of the glideslope and localizer and wings must be level below XX feet (except for minor corrections of < 5 deg AOB).  Unstable approach  The pilot must execute an immediate missed approach if the above criteria are exceeded below 1,000 feet above airport elevation in IMC or below 500 feet above airport elevation in VMC. |
| 135.180 | Take-off alternate aerodromes |  |  | A new requirement for operators and the pilot in command of passenger transport or medical transport operations in multi-engine aeroplanes under the IFR  Background  Not currently a requirement.  Requirements  If applicable to your operation (a multi-engine IFR flight that is a passenger transport or a medical transport operation), a take-off alternate aerodrome must be planned if a return to the departure aerodrome is not possible (subregulation 135.180 (2)).  Ensure that any take-off alternate aerodrome planned meets the requirements in subregulation (3). | Take-off alternate – multi-engine IFR flights that are a passenger transport or medical transport operation  The pilot must plan for a take-off alternate if a return to the departure aerodrome is not possible due to the forecast visibility and ceiling at the departure aerodrome being less than the landing minima for at least 1 hour after take-off, or for any other reason.  The forecast visibility and ceiling at the alternate must meet the landing minima for the alternate for at least 1 hour after take-off. The alternate must be within 1 hour’s flight time at the aeroplane’s one engine-inoperative cruising speed. |
| 135.185 | Alternate aerodrome requirements in certain circumstances | 5.01 | CAO 82.0 clause 3A | Existing rule topic but less restrictive for operators and the pilot in command of certain passenger transport or medical transport operations  Contains the remote island provision from CAO 82.0 reworded.  Applies to operators and the pilot in command of a passenger transport or medical transport operation:   * in an aeroplane that has more than 1 engine, and * that involves flying to a remote island. | No suggested text provided.  This requirement is generally less restrictive |
| 135.190 | IFR flights without destination alternate aerodromes |  |  | Existing rule topic but less restrictive for the pilot in command of an IFR flight  This regulation applies to the pilot in command of an IFR flight for which the operational flight plan does not include a destination alternate aerodrome.  Relates to fuel requirements previously in AIP – reframed provisions. | *No text required*  This requirement is generally less restrictive. |
| 135.195 | Procedures to determine information about aerodromes |  | CAO 82.0 App 1 para 2.5  CAO 82.3 clauses 5 and 5A | Existing rule topic but less restrictive (especially for operators currently conducting RPT operations)  This regulation contains a requirement for information to be included in the exposition. It merges rules currently in the CAOs. | No suggested text provided.  Operators will need to publish the information in the regulation about aerodromes that are not in ERSA. Less restrictive for current RPT operators. |
| 135.225 | Application of Division 135.D.7 |  |  | Introduces a significant administrative change for operators  Background  Introduces a significant administrative change to distinguish between:   * passenger transport and medical transport operations; and * cargo transport operations.   Division 135.D.7 (regulations 135.225 to 135.290) applies to passenger transport and medical transport operations.  Requirement  Ensure you comply with the requirements prescribed in Division 135.D.7 for passenger transport operations and medical transport operations, as applicable to your operation (key operational requirements continued below). | *No text required* |
| 135.235 | VFR flights at night |  | CAR 174B  CAO 82.3 clause 7 | Carries over an existing requirement with significant change for operators who conduct passenger transport or medical transport operations under the VFR at night  Background  Carries over existing requirements but with a change to the MTOW limitation and flight crew qualification requirement.  Requirement  Ensure that a VFR flight at night that is a passenger transport or a medical transport operation is conducted:   * only in an aeroplane with a MTOW of not more than 5,700 kgs * by at least one flight crew member who is authorised to pilot the aeroplane under the IFR.   **Note:** Subregulation (2) mentions other requirements that have not been listed above.  (The effect of this regulation is that a passenger transport at night or a medical transport operation at night in an aeroplane with a MTOW greater than 5,700 kgs must be conducted under the IFR).  Identified shortcoming and interim solution  The current wording of paragraph 135.380 (2) (d) (which is referred to in paragraph 135.235 (2) (c)) requires at least one of the flight crew to hold an instrument rating for a VFR flight at night that is a passenger transport operation or a medical transport operation.  An exemption has been issued to clarify CASA policy that for a passenger transport operation or medical transport operation that is a VFR flight at night, at least one flight crew member must be authorised to pilot the aeroplane under the IFR as follows:   * for an aeroplane that is an Australian aircraft – under Part 61, or * for an aeroplane that is a foreign registered aircraft – under the law of the aeroplane’s State of registry or the State of the operator of the aeroplane.   Refer to section 9 of CASA EX85/21 for full details and conditions of the exemption. | **Note**: New requirements could be added to existing NVFR provisions and re-titled VFR flights at night.  VFR flights at night  At least one pilot must hold an instrument rating and the flight must be conducted in a multi-engine aircraft below 5700kg. |
| 135.240 | Prescribed single-engine aeroplanes | Ch 8 | CAR 175A | New requirements for existing single-engine aerial work (air ambulance) operators and the pilot in command  Background  Applies to operators of prescribed single-engine aeroplanes conducting passenger transport or medical transport operations under the IFR or VFR at night. Requires operations to be in accordance with the distance limitations from suitable forced landing areas and other requirements.  It contains a requirement for procedures to be included in the exposition and new terminology, replacing CAR 175A.  Carries over an existing requirement with significant change for existing ASETPA charter operators and the pilot in command.  Requirement  If conducting passenger transport or medical transport operations in a PSEA under the IFR or VFR at night, include procedures in your exposition for the matters prescribed by Chapter 8 of the Part 135 MOS.  (PSEA is the new term for ASETPA.)  Guidance material  [AC 135-13 Prescribed single-engine aeroplanes](https://www.casa.gov.au/prescribed-single-engine-aeroplanes). | No suggested text provided. |
| 135.250 | Carriage of restricted persons |  |  | A new requirement for operators conducting passenger transport or medical transport operations  Background  Not specifically covered in the previous rules.  Requirement  Include in your exposition:   * a statement about whether you will, or will not, carry restricted persons * if you will carry restricted persons – the procedures for their carriage, including how you will inform each crew member about the carriage of the restricted person/s.   (*restricted person* is defined in Part 1 of the CASR Dictionary). | **Note**: Simple option for prohibition. Points to dictionary for definition – if definition changes exposition need not be changed. Operators could include definition if they choose. Operators to develop procedures if restricted persons carried.  Carriage of restricted persons  Restricted persons must not be carried on aircraft operated by [Sample Aviation].  A restricted person is defined in the CASR dictionary. |
| 135.290 | Flights over water for single-engine aeroplanes |  |  | Carries over an existing requirement with significant change for operators and the pilot in command of single-engine aeroplanes (other than a PSEA) conducting passenger transport or medical transport operations  Background  This regulation relates to the new suitable forced landing area definition and the changed distance limitations. It applies to passenger transport and medical transport flights conducted in single-engine aeroplanes.  Requirement  During a passenger transport or a medical transport operation that is conducted in a single-engine aeroplane, ensure that you do not fly further than 25nm over water from a suitable forced landing area (unless the aeroplane is a PSEA, and the requirements mentioned in subparagraph 135.290 (2) (b) (i)  or (ii) are met).  (*Suitable forced landing area* is defined in regulation 135.015). | Flights over water in single‑engine aeroplanes  The pilot must not fly a single‑engine aeroplane more than 25 nautical miles over water from a suitable forced landing area. A suitable forced landing area is an area of ground where a forced landing could be executed with a reasonable expectation that there would be no injuries to passengers or persons on the ground. |
| 135.325 | Polar operations |  | CAO 82.0  clause 3BD and App 6 | Existing rule topic but less restrictive for operators who conduct flights to or from an aerodrome in a polar region  The approval requirement has been removed. This regulation contains a requirement for procedures to be included in the exposition. | No suggested text provided.  Operators conducting these flights need to include procedures in their exposition. |
| 135.340 | Performance data | Ch 10 |  | A new requirement for operators and the pilot in command  Background  This regulation introduces the requirement to ensure appropriate performance data is available and meets international standards. Affects operators that intend to rely on performance data not contained in the aircraft flight manual instructions. Performance data from other sources may be approved by CASA under regulation 135.020.  Requirement  When calculating an aeroplane’s performance for a flight, ensure that only approved performance data is used. | **Note:** This change will only affect operators using data not contained in the AFM.  Performance Data  Pilots must use only data contained the relevant aircraft AFM or data approved by CASA for calculations relating to aircraft performance. |
| 135.345 | Take‑off performance | 10.3 to 10.9 | CAOs 20.7.1B  20.7.2 and  20.7.4 | Existing rule topic but generally less restrictive requirements for operators and the pilot in command  Carries over existing requirements for aeroplanes currently encompassed by CAO 20.7.1B. Simplifies requirements for aircraft encompassed by CAOs 20.7.2 and 20.7.4.  Introduces factoring for the take-off run not previously contained in CAOs. | *No text required*  This requirement is generally less restrictive; however, operators should check whether factoring of the take-off run would impose limitations. |
| 135.350 | Landing performance | 10.10 to 10.15 | CAOs 20.7.1B  20.7.2 and  20.7.4 | Carries over an existing requirement with significant change for some operators but generally less restrictive requirements for operators and the pilot in command  Carries over existing requirements for aeroplanes currently encompassed by CAO 20.7.1B. Simplifies requirements for aircraft encompassed by CAOs 20.7.2 and 20.7.4, however removes ambiguity around the application of landing distance factors. | *No text required*  This requirement is generally less restrictive with no substantive changes for operators previously employing landing factors. Operators previously subject to CAO 20.7.2 and 20.7.4 who did not allow for landing factors should check for any performance limitations. |
| 135.400 | Co-pilot |  |  | A new requirement for operators and co-pilots  Background  This regulation formalises multi-pilot aeroplane existing practices not currently mentioned in law.  Requirement  Include in your exposition the number of sectors or flight hours required to be flown in each kind of aeroplane during supervised line flying as a co-pilot.  Ensure that a flight crew member acting as co-pilot for a flight:   * is qualified as pilot in command, or * has the authorisation that permits them to conduct duties as a co-pilot and has completed the supervised line flying mentioned in your exposition for an aeroplane of that kind. | **Note:** This change will only effect operators of multi-crew aircraft. Text can be amended subject to operator requirements  Co-pilots  A pilot qualified to be pilot-in-command can act as a co-pilot when required. A pilot only qualified to be a co-pilot must have completed XX hours flight time and/or YY sectors as a co-pilot under supervision prior unsupervised co-pilot operations. |
| 135.405 | Pilot in command in non-command pilot’s seat | 12.14 |  | A new requirement for operators and the pilot in command  Background  This regulation formalises existing practices not currently mentioned in law.  Requirement  Include in your training and checking system a description of:   * how the training required to operate an aeroplane in the non-command pilot’s seat will be conducted * the part of the operator flight crew proficiency check that is to be completed while operating the aeroplane from the non-command pilot’s seat, and how competency is assessed (Part 135 MOS 12.08 and 12.14) * the system for maintaining records of the results of training and checking events * the procedures that ensure flight crew complete the training and checking and that the training and checking is supervised.   (A training and checking system must include the matters prescribed by regulation 119.170.)  **Note:** This requirement is deferred until no later than 2 March 2023 for operators not currently subject to CAR 217. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |
| 135.435 | Recent experience requirements—90 days before flight |  | CAO 82.0 clause 8B | Carries over an existing requirement with significant change for existing charter and aerial work (air ambulance) operators and pilots  Background  Merges an existing RPT requirement into all Part 135 air transport operations.  Requirement  For operators - ensure that a pilot is not assigned to duty as PIC or co-pilot without meeting the recent experience requirements for the flight.  For pilots - ensure that you do not operate an aeroplane as PIC or co-pilot without meeting the recent experience requirements for the flight.  Identified shortcoming and interim solution  The use of 'kind' in regulation 135.435 is more limiting than was intended. There is an exemption in force in relation to this regulation that establishes a more flexible regime regarding when flying an aircraft can act as recency for another aircraft. In summary, any aircraft of a particular class rating can count for other aircraft within that class rating, but only that specific class rating. Aircraft within a common type rating can count for other aircraft in that same type rating.  Refer to section 9C of CASA EX85/21 for full details and conditions of the exemption. | Recent experience requirements  The pilot must not fly, and the Company must not roster a pilot to fly unless within 90 days before the flight:  **For VFR operations:**   * the pilot has flown at least 3 take-offs followed by climbs to at least 500 ft AGL and 3 landings while controlling the aircraft, or * successfully completed a proficiency check.   **For night or IFR operations:**   * the pilot has flown at least 3 take-offs followed by climbs to at least 500 ft AGL and 3 landings at night while controlling the aircraft, or * successfully completed a proficiency check including a night component. |
| 135.455 | English proficiency (air crew) |  |  | A new requirement for operators who assign a person to duty as an air crew member for a flight  Background  This regulation introduces a new requirement.  Requirement  Ensure that prior to assigning an air crew member to duty, the person meets the ICAO level 4, 5 or 6 aviation English language proficiency standards that are mentioned in the Part 61 MOS.  **Note:** This requirement is deferred until no later than 2 March 2023 for operators not currently subject to CAR 217. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |
| 135.460 | Training and checking (medical transport specialists) | 14.02 to 14.12 | CARs 217 and  253 | A new requirement for operators who carry medical transport specialists  Background  There are no specific existing requirements relating to these kinds of persons (except under CAR 217 if these persons were operating crew, or the requirements under CAR 253 if these persons were crew members).  Medical transport specialists are a new kind of crew member introduced in the flight operations regulations.  This regulation requires an operator to carry out the training and checking prescribed by the Part 135 MOS and is a machinery provision providing a head of power for the MOS content.  Requirement  Include in your exposition a description of:   * how you will meet the medical transport specialist training and checking requirements mentioned in Chapter 14 of the Part 135 MOS * who will conduct the training (Part 135 MOS 14.10 to 14.12) * the system for maintaining records of the results of training and checking events * the procedures that ensure medical transport specialists complete the training and checking and that the training and checking is supervised.   **Note:** This requirement is deferred until no later than 2 March 2023 for operators not currently subject to CAR 217. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |
| 135.465 | Competence (medical transport specialists) |  | CAR 217  CAR 253 | A new requirement for operators who assign a person to duty as a medical transport specialist for a flight  Background  There are no specific existing requirements relating to these kinds of persons (except under CAR 217 if these persons were operating crew, or the requirements under CAR 253 if these persons were crew members).  Medical transport specialists are a new kind of crew member introduced in the flight operations regulations.  Requirements  Include in your exposition details about how you will assess the competency of medical transport specialists to perform their duties.  Ensure that, prior to a medical transport specialist being assigned to duty for a flight, they have been assessed by you as competent to perform the duties assigned to them.  (Refer to Subpart 119.J for record keeping requirements.) | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |

### Compliance no later than 2 March 2023

| Reg  number | Regulation title | 135  MOS | Old rule/ref | Regulatory context comment and overview of actions (where necessary) |  |
| --- | --- | --- | --- | --- | --- |
| 135.405 | Pilot in command in non-command pilot’s seat | 12.14 |  | A new requirement for operators and the pilot in command  Background  This regulation introduces a new [requirement](#Requirement405) and formalises existing practices not currently mentioned in law.  Transitional arrangements  An exemption applies to operators who were not, immediately before 2 December 2021, subject to a requirement under subregulation 217 (1) of CAR to provide a training and checking organisation for the operations or for an aeroplane used in the operations.  Operators are required to give CASA their proposed training and checking system exposition content by not later than the end of 2 September 2022, and obtain CASA’s written approval of that content by not later than the end of 1 March 2023.  Refer to Part 9 of CASA EX87/21 for full details and conditions of the exemption. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |
| 135.455 | English proficiency  (air crew) |  |  | A new requirement for operators who assign a person to duty as an air crew member for a flight  Background  This regulation introduces a new [requirement](#Requirement455).  Transitional arrangements  An exemption applies to operators who were not, immediately before 2 December 2021, subject to a requirement under subregulation 217 (1) of CAR to provide a training and checking organisation for the operations or for an aeroplane used in the operations.  Operators are required to give CASA their proposed training and checking system exposition content by not later than the end of 2 September 2022, and obtain CASA’s written approval of that content by not later than the end of 1 March 2023.  Refer to Part 9 of CASA EX87/21 for full details and conditions of the exemption. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |
| 135.460 | Training and checking  (medical transport specialists) | 14.02 to 14.12 | CARs 217 and 253 | A new requirement for operators who carry medical transport specialists  Background  This regulation introduces a new [requirement](#Requirement460).  There are no specific existing requirements relating to these kinds of persons (except under CAR 217 if these persons were operating crew, or the requirements under CAR 253 if these persons were crew members).  Medical transport specialists are a new kind of crew member introduced in the flight operations regulations.  This regulation requires an operator to carry out the training and checking prescribed by the Part 135 MOS and is a machinery provision providing a head of power for the MOS content.  Transitional arrangements  An exemption applies to operators who were not, immediately before 2 December 2021, subject to a requirement under subregulation 217 (1) of CAR to provide a training and checking organisation for the operations or for an aeroplane used in the operations.  Operators are required to give CASA their proposed training and checking system exposition content by not later than the end of 2 September 2022, and obtain CASA’s written approval of that content by not later than the end of 1 March 2023.  Refer to Part 9 of CASA EX87/21 for full details and conditions of the exemption. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |

### Compliance no later than 4 December 2023

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| --- | --- | --- | --- | --- | --- |
| Reg  number | Regulation title | 135  MOS | Old rule/ref | Regulatory context comment and overview of actions (where necessary) |  |
| 135.045 | Operator to have minimum equipment list for certain flights |  | CAO 20.18 clause 10.4 | A new requirement for existing charter and aerial work (air ambulance) operators who will operate under the IFR or on international flights  Background  This regulation introduces a new requirement for existing charter and aerial work (air ambulance) operators for aeroplanes used in those operations (a minimum equipment list was optional under CAO 20.18 for charter operators).  It applies to operators who conduct:   * IFR flights in aeroplanes with a master minimum equipment list, and * international flights.   Requirements  If you are required to have a minimum equipment list (MEL):   * ensure the MEL includes the required content and is approved (Divisions 91.Y.1 and 91.Y.2 and Part 91 MOS Chapter 28) * comply with the MEL and any included conditions, limitations, and operational procedures (Part 135 MOS 11.04) * make applications for a variation of the MEL in accordance with Division 91.Y.3 * carry the MEL on the aeroplane (subregulation 135.065 (1) and Part 135 MOS 3.01).   Transitional arrangements  An exemption applies to operators who were not required to have an MEL for an aeroplane immediately before 2 December 2021, i.e. the aeroplane was being used for charter or aerial work (air ambulance) operations only. The exemption will cease to have effect if the operator starts using the aeroplane for scheduled air transport operations (which would be a ‘significant change’ needing CASA approval). Refer to section 6 of CASA EX85/21. | No suggested text provided.  For the purposes of this document it is presumed operators are taking advantage of this deferral. |