## CASR Part 91 Key Operational Changes with Suggested Operator Action

### Guide to using this document

This document is intended to assist operators and persons who will conduct operations under Part 91 of CASR to prioritise their actions to transition to the new flight operations regulations. It highlights the key changes in Part 91 affecting those operations (compared with the rules in force up to 2 December 2021), describes who is affected by each key change and what affected persons must do.

Part 91 applies to all operations; however some Part 91 rules are modified or do not apply to operations under Parts 121, 133, 135 and 138.

Part 91 legislative compliance information is not required in future expositions or operations manuals; however it is acknowledged that current operations manuals may have material that will be covered by the Part 91 rules.

#### Suggested operator action

In this version of the document we have added a column that contains information for air transport and aerial work operators, to assist them when updating their existing procedures. It does not contain suggested text relating to Part 91 provisions; however the key changes are articulated and notes are provided to suggest means by which operators may disseminate any changes to their flight crews when necessary.

Operators should review the key changes and their current operations manual suite to determine if their manual contains information or procedures that will be affected by the new provisions. Operators should then amend any existing text to support compliance with the new provision.

Flight crew should be aware of the changes brought about by Part 91, and operators should confirm that their personnel are informed of any critical matters that may affect their future operations under the new rule set.

#### Guidance material

CASA has provided guidance material to assist pilots with Part 91 compliance in the form of the Part 91 Plain English Guide. For guidance relating to specific regulatory provisions, refer to the [Part 91 AMC/GM](https://www.casa.gov.au/node/54972) document. Further guidance information on Part 91 of CASR can be found [here](https://www.casa.gov.au/search-centre/rules/part-91-casr-general-operating-and-flight-rules).

CASA has published separate documents setting out the key operational changes for Parts 119, 121, 133, 135 and 138.

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. | 1 |
| [Key changes in force from 2 December 2021](#Keychanges2dec21)  | This section is the main focus of this document. It details the key operational changes applicable from 2 December 2021. | 2 |

### Colour coded key to changes

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

39 rules with new requirements (5 overlap an existing requirement with significant change)

 1 rule with requirements that carry over an existing requirement with significant change (5 overlap a new requirement)

 2 rules with administrative changes that affect operators

 17 rules with requirements covering existing rule topics but the new rule is less restrictive.

Key changes in force from 2 December 2021

| Regnumber | Regulation title | 91MOS | Old rule/ref | Regulatory context comment and overview of actions (where necessary) | Suggested operator action |
| --- | --- | --- | --- | --- | --- |
| 91.030 | Application of Part 91—aircraft to which Part 101, 103 or 131 applies  |   |  | Introduces a significant administrative change that affects operators and pilots to whom Part 101, 103 or 131 applies This provision forms the basis of the applicability and relationship of Part 91 to aircraft operated under Parts 103, 105 and 131.  | Administrative only. |
| 91.035 | Application of Part 91—certain provisions of this Part do not apply if provisions of Part 105, 121, 133, 135 or 138 apply |  |  | Introduces a significant administrative change that affects operators and pilots to whom Part 105, 121, 133, 135 or 138 applies This provision disapplies specified provisions of Part 91 from operations under one or more of Parts 105, 121, 133, 135 or 138 where those Parts have a specific corresponding provision. | Administrative only. |
| 91.085 | NVIS flights | Chpt 3 | CAO 82.6 | Existing rule topic but new rule is less restrictive for the pilot in command BackgroundThe previous rules under CAO 82.6 have been expanded to permit the use of NVIS in non-certificate holder operations, subject to conditions.Identified shortcoming and planned solutionA new MOS chapter that incorporates the relevant aspects of CAO 82.6 and the new non-certificate holder provisions is currently under review and will be subject to public consultation commencing during third quarter 2021.**Note 1:** For an air transport operation in a rotorcraft that is fitted with a night vision imaging system, refer to regulation 133.265.**Note 2:** For an aerial work operation that involves the use of a night vision imaging system, refer to regulation 138.350.  | Operators should review this regulation for applicability. |
| 91.120 | Journey logs—flights that begin or end outside Australian territory | Chpt 5 |  | A new requirement for operators and the pilot in command of an international flight (except during a Part 121, 133 or 135 operation)BackgroundIntroduced to align with ICAO requirements. The information required for a journey log may be recorded in other documents. A journey log records basic information about the flight including details of the aircraft, the crew, the points of departure and destination, and fuel related matters. RequirementFor an international flight, ensure that a journey log (or other document) that contains the required information is carried and completed in accordance with the requirements prescribed by Chapter 5 of the Part 91 MOS.**Note:** For an air transport flight, refer to Part 121, 133 or 135. | This regulation does not apply to air transport operations. Refer to the key operational change documents for Parts 121, 133 and 135 as applicable. |
| 91.160 | Possessing firearm on aircraft |  | CAR 143 | Existing rule topic but new rule is less restrictive for persons carrying or possessing a firearm on an aircraft (removal of requirement for CASA approval)BackgroundFormalises existing requirements under CAR 143 and removes the requirement for CASA approval. Air transport operations have additional rules under the *Aviation Transport Security Act 2004* and its subordinate regulations. Special rules apply in Part 138 for aerial work operations. RequirementA person must not carry or possess a firearm on an aircraft without the permission of the pilot in command or operator.**Note1:** For the carriage or possession of firearms during scheduled air transport operations, and air transport operations that are in a jet or in an aircraft with a MTOW greater than 5,700kg, refer to the Aviation Transport Security Act 2004.**Note 2:** For the carriage or possession of firearms during aerial work operations, refer to regulation 138.432. | No suggested action or text. This requirement is less restrictive.  |
| 91.165 | Discharging firearm on aircraft |  | CAR 144 | Existing rule topic but new rule is less restrictive for persons discharging a firearm while on an aircraft (removal of requirement for CASA approval)Formalises existing requirements under CAR 144 and removes the requirement for CASA approval.**Note:** Special rules apply in Part 138 for aerial work operations and air transport operations have additional rules under the Aviation Transport Security Act and its subordinate regulations. | No suggested action or text. This requirement is less restrictive. |
| 91.170 | Operation of portable electronic devices |  | CAO 82.0 clause 11 and App 9 | Existing rule topic but new rule is less restrictive for the pilot in command and persons on an aircraft for a flightFormalises existing practices and recognises expanded technological options (CAO 82.0 covered EFBs only).Identified shortcoming and planned solutionA forthcoming direction will apply to EFB use by air transport operators until a previously consulted regulation amendment occurs in the second half of 2022. | No suggested action or text.  |
| 91.175 | Operation of portable electronic devices by crew members |  |  | A new requirement for crew membersBackgroundIntroduces a requirement for crew members to remain vigilant, particularly through critical stages of flight. RequirementEnsure that a portable electronic device is not operated at a time when it is likely to distract you from performing your duties for the flight.  | Operators may choose to add advice to crews for any new provision introduced due to 133.280 and 135.315. |
| 91.185 | Conducting aerobatic manoeuvres |  | CAR 155 | Existing rule topic but new rule is less restrictiveBackgroundFormalises existing requirements. RequirementThe regulation allows aerobatic manoeuvres at night with an approval under regulation 91.045.  | No suggested action or text.  |
| 91.267 | Minimum height rules—other areas | 12.02 | CAR 157 | Existing rule topic but new rule is less restrictive for aeroplane operations (no change for rotorcraft)Formalises existing requirements and enables the Part 91 MOS to prescribe circumstances. Decreases the 600m horizontal distance from highest terrain for aeroplanes to 300m. **Note:** This regulation may not apply for a medical transport operation in a rotorcraft or an aerial work operation. Refer to regulation 133.167 or 138.275. | No suggested action or text.  |
| 91.310 | Approach ban for IFR flights | Chpt 16 |  | A new requirement for operators and the pilot in command of an IFR flightBackgroundIntroduced to align with ICAO and international best practice. Applies in weather conditions that are consistently below landing minima at certain aerodromes. Allows the Part 91 MOS to specify the circumstances in which an approach ban applies. RequirementAt an aerodrome that has an air traffic service in operation and for which RVR reports are available for IAPs to the relevant runway, ensure that an approach to land is not conducted in the circumstances prescribed by Chapter 16 of the Part 91 MOS. | Operators should ensure that crews are conversant with the new requirement. Existing procedures may require amendment. |
| 91.340 | Right of way rules for take-off and landing |  | CARs 162 and 163 | A new requirement for the pilot in commandBackgroundThis provision is a modified version of the content in CAR 162 and 163, adding the requirement for the pilot in command to consider the risk of collision with a person, vessel, vehicle, or structure, as well as other aircraft.RequirementDuring take-off or landing, ensure that the aircraft is not flown in a manner that creates a risk of collision with another aircraft, a person, a vessel, a vehicle or structure.  | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary.  |
| 91.350 | Giving way to vessels |  | CAR 169 (1) and (3) | Existing rule topic but new rule is less restrictive that applies to the pilot in commandRemoves the reference to considering the inability of stem vessels to manoeuvre in narrow channels. | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.365 | Taxiing or towing on the movement area of aerodrome |  | CAR 166A | A new requirement for a person taxiing or towing an aircraft on the movement area of an aerodromeBackgroundThis provision specifies requirements in addition to those in CAR 166A relating to operating on the movement area of an aerodrome. RequirementEnsure that when taxiing or towing an aircraft on the movement area of an aerodrome, the prescribed requirements are met. | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.380 | Operating on manoeuvring area, or in the vicinity, of non-controlled aerodrome—landing and taking off into the wind |  | CAR 166A | Existing rule topic but new rule is less restrictive for the pilot in commandIf the aircraft flight manual instructions allow and the pilot is satisfied that it can be done safely, a take-off or landing downwind or crosswind is permitted.  | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.415 | Taxiing aircraft |  | CAR 228ACAR 229 | Existing rule topic but new rule is less restrictive for a person taxiing an aircraftThis provision captures the requirements of CAR 228A and 229. RequirementFor an aeroplane that is a foreign registered aircraft, this regulation allows the requirement to be met under Part 64 of CASR.  | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.420 | Parked aircraft not to create hazard |  | CAO 20.3 | A new requirement for a person who parks an aircraftBackgroundIntroduces a new requirement that applies to any person who parks an aircraft. The previous requirement only stated that the pilot in command must park in areas so designated by the aerodrome operator.RequirementEnsure an aircraft is not parked in a place where it is a hazard to the movement of other aircraft. | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.425 | Safety when aeroplane operating on ground | Chpt 18 | CARs 230 and 231 | A new requirement for a person who operates an aeroplane on the groundBackgroundCarries over existing requirements and introduces a new provision that allows a person who is competent to apply the brakes and control the engine to be onboard an aeroplane when it is being operated on the ground. It includes a head of power for the Part 91 MOS to prescribe additional persons who may be permitted to start or run an aeroplane engine. RequirementsDo not start the engine of an aeroplane, or cause an engine to be started, unless:* you are authorised to pilot the aeroplane under Part 61, or
* you are authorised to taxi the aeroplane under Part 64, or
* for a foreign registered aeroplane – you are qualified to pilot or taxi the aeroplane under the law of the aeroplane’s State of registry or the State of the operator, or
* you are a person of a kind prescribed by Chapter 18 of the Part 91 MOS (currently reserved).

Ensure that another person is not permitted to board or remain on an aeroplane while it is operated on the ground unless a pilot seat of the aeroplane is occupied by a person who is competent to apply the brakes and control the engine (subregulations 91.425 (4) and (5)). | These provisions are for the operation of all aircraft and are minor changes or extended requirements. They may not be in current manuals, nor are they required to be in the future.If operators currently have material in their operations manual in relation to these topics, this material will need review and amendment where necessary. |
| 91.465 | Contaminated, degraded or inappropriate fuels |  | CARs 235 and 244CAO 20.2 clause 5 CAO 20.9 clause 3 | A new requirement for persons who supply fuel or fuel an aircraft***Existing rule topic for pilots and operators but new rule is less restrictive.***BackgroundThe previous rules that applied to pilots have been simplified, with a considerable amount of the prescriptive material moved to guidance. Adds an offence for the fuel supplier and person fuelling an aircraft regarding contaminated, degraded, or inappropriate fuels.RequirementTo comply: * the operator and pilot in command must ensure an aircraft is not loaded with fuel that is contaminated, degraded or inappropriate
* a person must not supply fuel that is contaminated, degraded or inappropriate
* a person must not fuel an aircraft with fuel that is contaminated, degraded or inappropriate.
 | Operators will likely have a section in their current manual on this topic . It should be updated if necessary. Current prescriptive provisions should be relabelled as guidance. An AC on fuel and oil safety is under development. |
| 91.495 | Only turbine engine aircraft to be hot fuelled |  | CAO 20.10CAO 20.10.1 | A new requirement for the pilot in command of a rotorcraft being hot fuelled under Part 91BackgroundPermits hot fuelling in turbine-engine aircraft only. This is not currently a prescriptive limit for helicopters. Carries over an existing requirement with no change for turbine-powered aeroplanes.RequirementEnsure that hot fuelling is carried out in turbine-engine aircraft only.**Note1:** Regulations 91.500 and 91.505 prescribe further requirements for hot fuelling aircraft. **Note2:** For an aerial work operation, regulations 91.495, 91.500 and 91.505 do not apply to the operation of an aircraft if regulation 138.300 applies to the operation. | Operators who hot fuel should review their procedures. |
| 91.505 | Hot fuelling aircraft—procedures etc. |  | CAO 20.10CAO 20.10.1 | A new requirement for the pilot in command ***Existing rule topic but new rule is less restrictive.***BackgroundThis regulation sets out the procedures to the followed when hot refuelling an aircraft. It is more prescriptive with regard to the aircraft flight manual instructions.Linked to the requirements of regulations 91.495, 91.505 and 91.510. RequirementFor an aircraft that is to be hot fuelled, ensure that:* the aircraft flight manual sets out the circumstances in which hot fuelling can be carried out and the procedures to be followed (paragraph 91.505 (1) (b))
* any person who is directly involved with the hot fuelling has been briefed about compliance with those procedures and circumstances (subregulation 91.505 (3))
* you comply with the requirements contained in the aircraft flight manual instructions.

**Note:** For an aerial work operation, regulations 91.495, 91.500 and 91.505 do not apply to the operation of an aircraft if regulation 138.300 applies to the operation. | Operators who hot fuel should review their procedures. |
| 91.540 | Means of passenger communication |  | CAR 207 | A new requirement for operators and the pilot in commandBackgroundThis provision brings requirements relating to items of equipment for communication with passengers into the CASR. This is a new requirement for existing general aviation operations. RequirementEnsure that if the pilot in command is unable to see all seats (and berths) on the aircraft from their pilot seat, the aircraft is fitted with a means to communicate with all passengers during all phases of flight (including emergencies).  | Operators should ensure that a Part 133 or 135 aircraft where the pilot cannot view all passengers has a serviceable public address system or similar. |
| 91.580 | Passengers—compliance with safety instructions by cabin crew |  |  | A new requirement for passengers on an aircraftBackgroundThis provision provides a new requirement to clarify the authority of cabin crew. RequirementIf a cabin crew member gives an instruction to a passenger during a flight that relates to the safety of the aircraft or the safety of a person on the aircraft, the passenger must comply with the instruction.  | Operators with cabin crew will need to review this requirement. |
| 91.585 | Restraint and stowage of cargo |  | CAO 20.16.2 | A new requirement for operators and the pilot in command of a foreign registered aircraftBackgroundThis provision carries over the requirements of CAO 20.16.2 relating to the restraint and stowage of cargo. It also introduces a new requirement for foreign registered aircraft operating in Australian Territory. RequirementEnsure that cargo carried on a flight is restrained or stowed in accordance with the requirements set out in subregulation 91.585 (2).**Note:** Does not apply to an assistance animal carried in the passenger cabin, carry-on baggage, equipment that is required or permitted to be carried without being restrained or stowed, or cargo to be dropped during a dropping operation. | Operators will likely have a section in their current manual on cargo and baggage. It should be updated to reflect any new 91 requirements and the requirements of 135.360 and 133.350 combined where possible. |
| 91.600 | Carriage of cargo—general |  | CAO 20.16.2 | A new requirement for operators and the pilot in commandBackgroundThis provision carries over the requirements of CAO 20.16.2 relating to the restraint and stowage of cargo. It also introduces the new requirement that cargo must not obstruct, or restrict access to, an emergency exit unless an approval under regulation 91.045 of CASR is held. RequirementEnsure that cargo is not carried in a place where: * it may damage, obstruct or cause failure of a control, electrical wiring or a pipeline of the aircraft
* it may damage, obstruct or cause failure of equipment that is essential to the safe operation of the aircraft
* its weight exceeds the load limits for the floor structure or other load bearing components (as set out in the flight manual instructions or on a placard on the aircraft)
* it obstructs an aisle (except passenger service or galley equipment on a temporary basis)
* it obstructs or restricts access to an emergency exit (unless an approval under regulation 91.045 is held by the operator or the pilot in command).
 | Operators will likely have a section in their current manual on cargo and baggage. It should be updated to reflect any new 91 requirements, the requirements of 135.360 and 133.350 and combined where possible. |
| 91.620 | Carriage of animals | Chpt 20 Div 20.4 | CAR 256A | Existing rule topic but new rule is less restrictive for a person who brings an animal onto an aircraft for a flight, operators and the pilot in commandThis provision simplifies the rules for the carriage of animals. Approval to carry an animal on an aircraft may be granted by the pilot in command and CASA approval is not required. Identified shortcoming and planned solutionIn its current form, the regulation requires a person to have the permission of the pilot in command to bring an animal onto an aircraft for a flight. The intention is that either the pilot in command or the operator may grant permission, and an exemption and direction instrument (CASA EX81/21) will give effect to this policy intent while amendments to the regulations are prepared.**Note:** The operator or pilot in command may refuse to carry an assistance animal if they consider the safety of flight to be compromised. | Operators will likely have a section in their current manual on the carriage of animals. It should be updated to reflect the less restrictive nature of Part 91, if this is desired. |
| 91.645 | Availability of instructions for flight data and combination recorders |  |  | A new requirement for operatorsWhen an aircraft that is required to be fitted with a flight data recorder or combination recorder begins a flight, ensure that instructions for the recorder are available for immediate provision to the ATSB.  | Operators will likely have a section in their current manual concerning actions in the event of an IRM. Operators should add the instruction requirement and the preservation requirement to the duties of the person who would be assigned to carry it out. |
| 91.650 | Flight recorders—preserving recordings of immediately reportable matters | Chpt 26Div 26.9 |  | A new requirement for operatorsFor an aircraft that is fitted with an operative flight data recorder, operative cockpit voice recorder or operative combination recorder, ensure that in the event of an immediately reportable matter, recordings and the recorders are preserved for the period of time mentioned in subregulation 91.650 (2).  | Operators will likely have a section in their current manual concerning actions in the event of an IRM. Operators should add the instruction requirement and the preservation requirement to the duties of the person who would be assigned to carry it out. |
| 91.690 | Pilot in command to report contraventions relating to emergencies |  |  | A new requirement for operators and the pilot in commandBackgroundThis is a new provision that requires the operator or the pilot in command to notify CASA in writing of the circumstances relating to the contravention of a regulation in an emergency.RequirementProvide written notice to CASA, in the approved form, of the contravention and its circumstances within 2 business days after the day the emergency occurs. | This is a new provision, and it is suggested that a notice to pilots would be a suitable means of communicating it. It could be added to pilots’ duty statements. |
| 91.705 | Flight in icing conditions—adherence of frost, ice or snow |  | CAR 244 | Existing rule topic but new rule is less restrictive for the pilot in commandThis provision brings the requirements of CAR 244 into the CASR. Under certain circumstances it is permitted for some external surfaces to have frost or snow adhering. | These are general provisions applicable to air transport or aerial work operations. Less restrictive. |
| 91.715 | Causing or simulating failure of flight instruments |  |  | A new requirement for the pilot in commandBackgroundThis new provision clarifies the requirements for the causing or simulating failure of flight instruments during flight. Provides an exception if the pilot in command is carrying out a maintenance test flight or procedure to diagnose or isolate a failure of an instrument or system. RequirementEnsure that the failure of an attitude indicator, a gyrocompass (or equivalent instrument), an airspeed indicator, or an altimeter is not caused or simulated unless:* the flight is being conducted for the purpose of pilot training, checking or testing
* only crew members required for the training, checking or testing are carried
* a person authorised to pilot the aircraft (refer to paragraph 91.715 (2) (c)) occupies a pilot seat fitted with fully functioning flight controls, and
* if at night or in IMC – the person authorised to pilot the aircraft has a clear view of an operative instrument of the same kind as that subjected to the failure or simulated failure.
 | **Note:** Causing or simulating failures are training procedures not intended to be carried out during air transport or aerial work operations. A maintenance or test flight is not an air transport or aerial work operation and the Part 91 provisions apply during these flights. Operators should review their training and checking systems for compliance with the exceptions contained in the requirement. |
| 91.725 | Training flight limitations etc. |  | CARs 249 and 262 | Carries over an existing requirement with significant change for the pilot in commandBackgroundAn updated and more specific requirement for the carriage of passengers on certain flights, i.e. training flights. Specifies the number of ‘permitted persons’ that may be carried. RequirementsEnsure that you do not conduct the following if any person other than a permitted person is carried on the aircraft:* flight training for a flight crew member who does not hold a class or type rating for the aircraft
* simulated emergencies or abnormal situations that may affect the handling characteristics
* training below 500 ft AGL (except training for take-off and landing)
* training for a low-level rating, aerial application rating, aerobatic endorsement or spinning endorsement.

If conducting a test of the aircraft or any of its instruments, indicators, items of equipment or systems (other than tests during the course of checks associated with normal operations), ensure that only a permitted person, or member of the aircraft’s maintenance personnel who is required to be on the aircraft as part of their duties, is carried.**Note1:** Refer to subregulation 91.725 (4) for requirements relating to the number of permitted persons that may be carried during certain activities.**Note2:** Permitted person for the purposes of this regulation is defined in subregulation 91.725 (1). | **Note:** Training flights as mentioned in the regulation are not air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.730 | Aeroplane flights in IMC or at night—engine not to be shut down |  |  | A new requirement for the pilot in command of a flight in IMC or at night in an aeroplaneBackgroundA new provision to provide clarity around causing or simulating engine failure for all aeroplanes. RequirementEnsure that the causing or simulating of a failure of an aeroplane’s engine that involves the engine being shut down is conducted only by day in VMC. | **Note:** Causing or simulating engine failures are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.735 | Single-engine aeroplane—VFR flights by day—engine not to be shut down |  |  | A new requirement for the pilot in command of a VFR flight by day in a single-engine aeroplaneBackgroundA new provision to provide clarity around causing or simulating engine failure in single engine aeroplanes. RequirementFor a VFR flight by day in a single-engine aeroplane involving an engine shutdown for the purposes of pilot training, checking or testing, ensure that the requirements mentioned in subregulation 91.735 (2) are met. | **Note:** Causing or simulating an engine failure is a training procedure not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.740 | Single‑engine aeroplane—simulating engine failure in IMC or at night |  |  | A new requirement for the pilot in command of a flight in IMC or at night in a single-engine aeroplane BackgroundA new provision to provide clarity around causing or simulating engine failure in single engine aeroplanes. RequirementFor a flight in IMC or at night in a single-engine aeroplane, ensure that a simulation of the failure of the aeroplane’s engine is carried out only if the requirements in subregulation 91.740 (2) are met. | **Note:** Causing or simulating an engine failure is a training procedure not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.745 | Multi‑engine aeroplane—simulating engine failure—general |  |  | A new requirement for the pilot in command of a multi-engine aeroplaneBackgroundA new provision to provide clarity around causing or simulating engine failure. RequirementFor a flight in a multi-engine aeroplane, ensure an engine failure is simulated only if the requirements in subregulation 91.745 (2) are met. | **Note:** Causing or simulating engine failures are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.750 | Multi‑engine aeroplane—simulating engine failures in IMC or at night |  |  | A new requirement for the pilot in command of a flight in IMC or at night in an aeroplaneBackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementEnsure that, for a flight that is in IMC or at night in a multi-engine aeroplane, the failure of one of the aeroplane’s engines is simulated only if the requirements in subregulation 91.750 (2) are met. | **Note:** Causing or simulating engine failures are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.755 | Single‑engine rotorcraft—engine not to be shut down |  |  | A new requirement for the pilot in command of a single-engine rotorcraft BackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementEnsure that during a flight in a single-engine rotorcraft, the engine is not shut down.  | **Note:** Causing or simulating an engine failure is a training procedure not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.760 | Single‑engine rotorcraft—engine failure not to be simulated and autorotation of main rotor system not to be initiated in IMC |  |  | A new requirement for the pilot in command of a single-engine rotorcraft BackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementDuring a flight in a single-engine rotorcraft in IMC, ensure that an engine failure is not simulated, and an autorotation of a main rotor system is not initiated. | **Note:** Causing or simulating an engine failure or initiating an autorotation of the rotorcraft’s main rotor system are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.765 | Single‑engine rotorcraft—simulating engine failure or initiating autorotation of main rotor system at night |  |  | A new requirement for the pilot in command of a single-engine rotorcraft BackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementDuring a flight in a single-engine rotorcraft at night, ensure a failure of the rotorcraft’s engine is not simulated or an autorotation of the rotorcraft’s main rotor system is not initiated unless the requirements mentioned in paragraph 91.765 (1) (c) and subregulation 91.765 (2) are met. | **Note:** Causing or simulating an engine failure or initiating an autorotation of the rotorcraft’s main rotor system are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.770 | Multi‑engine rotorcraft—engine not to be shut down at certain altitudes in IMC or at night |  |  | A new requirement for the pilot in command of a multi-engine rotorcraftBackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementFor a flight conducted in a multi-engine rotorcraft in IMC or at night, ensure that an engine is not shut down unless the rotorcraft is at or above the lowest safe altitude for the route or route segment. | **Note:** Causing or simulating engine failures are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.775 | Multi‑engine rotorcraft—simulating engine failure in IMC or at night |  |  | A new requirement for the pilot in command of a multi-engine rotorcraftBackgroundIntroduces a new provision to provide clarity around causing or simulating engine failure. RequirementFor a flight conducted in a multi-engine rotorcraft in IMC or at night, ensure that the failure of one of the rotorcraft’s engines is not simulated unless the requirements in subregulation 91.775 (2) are met. | **Note:** Causing or simulating engine failures are training procedures not intended to be carried out during air transport or aerial work operations. Operators should review their training and checking systems for compliance to ensure the limitations are mentioned in procedures. |
| 91.780 | Passengers—alcohol |  |  | A new requirement for a passenger on an aircraftBackgroundFormalises existing practices from CAR 256 and 256AA and expands on these requirements.RequirementA passenger on an aircraft for a flight must not consume alcohol unless:* a crew member provided the alcohol to the passenger, or
* if there is no crew member other than the pilot in command on the aircraft, the pilot in command has permitted the passenger to consume the alcohol.
 | Operators should provide a policy and a means for enforcing this requirement in their circumstances. It could be added to pilots’ duty statements. |
| 91.795 | Take‑off performance | Chpt 24 | CARs 233 and 235CAO 20.7 CEO-PN029-2005 | Existing rule topic but new rule is less restrictive for operators and the pilot in commandThis provision brings the requirements in CAR 233 and 235, CAO 20.7 and CEO-PN029-2005 into the CASR and introduces formal rotorcraft performance requirements.**Note:** This regulation does not apply to an air transport operation or an aerial work operation. | Does not apply. |
| 91.800 | Landing performance | Chpt 25 | CARs 233 and 235 CAO 20.7 CEO-PN029-2005 | Existing rule topic but new rule is less restrictive for operators and the pilot in commandThis provision brings the requirements in CAR 233 and 235, CAO 20.7 and CEO-PN029-2005 into the CASR.**Note:** This regulation does not apply to an air transport operation or an aerial work operation. | Does not apply. |
| 91.805 | Loading of aircraft |  | CARs 233 and 235CAO 20.16.1 | Existing rule topic but new rule is less restrictive for the pilot in commandThis provision brings the requirements into the CASR.**Note:** This regulation does not apply to an air transport operation or an aerial work operation. | Does not apply. |
| 91.820 | Cabin crew—when required |  | CAR 208CAO 20.16.3 | A new requirement for private operations and a modified requirement for commercial operations if 20 or more passengers are carried on a flightBackgroundThis provision brings the current requirements in CAR 208 and CAO 20.16.3 into the CASR, which increases the number passengers that may be carried before cabin crew is required from 15 to 20.RequirementEnsure a cabin crew member is carried on a flight if 20 or more passengers are carried. **Note1:** This requirement does not apply if subregulation 91.820 (2) or (3) applies.**Note2:** This regulation does not apply to an air transport operation.  | Does not apply. |
| 91.825 | Cabin crew—number |  | CAR 208CAO 20.16.3 | Existing rule topic but new rule is less restrictive for operators and the pilot in command This provision establishes that 1 cabin crew member is required for each 50, or part of 50, passengers carried on the flight (increased from 36).  | Does not apply. |
| 91.830 | Cabin crew—knowledge of emergency and safety equipment and procedures |  | CARs 217 and 253 | A new requirement for operators, the pilot in command and cabin crewBackgroundThis provision brings existing requirements into the CASR. It also includes a new requirement for cabin crew on certain flights operated under Part 91. RequirementIf a cabin crew member is required to be carried under regulation 91.820, ensure that before they begin to carry out their duties for the flight, they are competent to:* operate and use emergency and safety equipment on the aircraft that is relevant to their duties, and
* implement emergency evacuation procedures for the aircraft.
 | Does not apply. |
| 91.925 | Definitions | Chpt 28 |  | A new requirement (introduces new definitions)Provides definitions for master minimum equipment list, minimum equipment list and rectification interval. | Administrative only. |
| 91.930 | Requirements for minimum equipment lists | Chpt 28 | CAO 20.18 clause 10 | A new requirement that applies if a minimum equipment list is required for an aircraftBackgroundRefer to Parts 121, 133 and 135 for the requirement for certain aircraft to have a MEL.This provision brings the specific requirements of minimum equipment lists into the CASR. It also enables the Part 91 MOS to prescribe requirements relating to minimum equipment lists.RequirementIf you are required to have a minimum equipment list, ensure it complies with the requirements relating to MELs that are prescribed by Chapter 28 of the Part 91 MOS. | Administrative only. |
| 91.935 | Approval of minimum equipment lists | Chpt 28 |  | A new requirement that applies to the operator of an aircraft if a minimum equipment list is required for the aircraftBackgroundThis is a new requirement that outlines how a request for MEL approval may be conducted.RequirementEnsure that an application for the approval of a MEL for an aircraft is made in accordance with the prescribed requirements. | Administrative only. |
| 91.940 | Approval of variations | Chpt 28 |  | A new requirement that applies to the operator of an aircraft with a minimum equipment listBackgroundThis is a new requirement that outlines how a request for minimum equipment list approval variation may be conducted.RequirementEnsure that an application for an approval of a variation of a minimum equipment list is made in accordance with the prescribed requirements.  | Administrative only. |
| 91.945 | Approval of extensions of rectification intervals | Chpt 28 |  | ***A new requirement for the operator of an aircraft with a minimum equipment list and a continuing airworthiness management organisation for the aircraft***BackgroundThis is a new requirement and outlines the process for approval of an extension to a rectification interval for a minimum equipment list. RequirementEnsure that an application for an extension of the rectification internal for an item specified in a minimum equipment list is made in accordance with the prescribed requirements. | Administrative only. |
| 91.950 | Effect of approval | Chpt 28 |  | A new requirement relating to an aircraft for which an extension of a rectification interval has been approved BackgroundThis is a new requirement relating to approval of an extension to the rectification interval for an item on a minimum equipment list.RequirementThe operation of the aircraft with the inoperative item during the extended rectification interval is taken to be permitted by the minimum equipment list. | Administrative only. |
| 91.955 | CASA to be notified of extensions approved by a continuing airworthiness management organisation |  |  | A new requirement for the operator of an aircraft for which an extension of rectification interval has been approved by a continuing airworthiness management organisationBackgroundThis is a new requirement relating to approval of an extension to the rectification interval for an item in a minimum equipment list. RequirementIf an extension of the rectification interval for an item specified in an MEL for an aircraft is approved under subregulation 91.545 (3) or (4) by a continuing airworthiness management organisation, ensure you notify CASA of the matters in subregulation 91.955 (2) in writing within 10 days of the start of the extended rectification interval. | Administrative only. |
| 91.960 | Operation of aircraft with multiple inoperative items not permitted in certain circumstances |  |  | A new requirement relating to the operation of an aircraft that has a minimum equipment listBackgroundThis provision provides a new requirement to consider the compound effect of multiple inoperative items of equipment on the safety of the flight.RequirementThe operation of an aircraft with more than one inoperative item is not permitted by the aircraft’s minimum equipment list if, when considering the number and kinds of inoperative items or the relationship between the items, the level of safety is reduced or the flight crew’s workload is increased to the extent that it is unsafe for the flight to be conducted. | Operators with MEL procedures will need to review this requirement. |