



DEFENCE AVIATION SAFETY AUTHORITY

NOTICE OF PROPOSED DASR AMENDMENT (NPA)  
NPA 2021/019 Revision 0

## DASR NDR

### NON DEFENCE REGISTERED

#### References:

- A. Remote Aviation Safety Review Record (RASRR) – Temora Aviation Museum 2020 of 3 Dec 20 ([BP11915263](#))
- B. DASA DASR NDR Unit Feedback Consolidation and Response of 29 Apr 22 ([BP19667904](#))
- C. DASA Newsbreak: [Deliberate Review of Aviation Operations-Related Implementing Regulations – Aug 21 Update](#) of 20 Aug 21
- D. CDF Directive 12/16: *Transportation of ADF Personnel & Materiel on Non-ADF Aircraft* of 16 Aug 16 ([R34650402](#))

## INTRODUCTION

### Applicability

1. This NPA is applicable to Military Air Operators (MAOs) and Sponsors of Non-Defence Registered Aircraft (NDRA).

### Purpose

2. The purpose of this NPA is to enable community input into the development of DASR NDR, ahead of its formal release, to incorporate the:
  - a. relevant recommendations and findings from Refs A-B
  - b. principles of Ref C.

### Background

3. This NPA addresses Refs A-C, with a view to improving aviation safety and clarifying regulation outcomes. This NPA forms part of the stakeholder consultation processes.
4. This NPA proposes no Major<sup>1</sup> changes to DASR NDR. Rather, it provides additional clarity to the regulated community on its obligations in respect of NDR activities. However, due to the complexity of NDR activities in Defence, an NPA is warranted to ensure appropriate consultation in reviewing DASR NDR. Additionally, the tabulated data detailing other DASR applicability to various NDR activity groupings is withheld at this time, and will be circulated to targeted stakeholders separately for consultation. This review and update of DASR NDR is an

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<sup>1</sup> DASA(I) REG 01-002 *DASR Amendment Management* of 16 Feb 21 refers.



interim review. DASA intends to conduct a further review when the work underway between DASA and CASA to clarify the boundary between State and Civil aircraft is concluded. Finally, an update to Ref D is out of scope for this NPA, and will be pursued as a separate activity, currently led by JLC.

### Scope of proposed changes

5. The proposed amendment incorporates improved DASR hazard controls by:
  - a. clarifying accountabilities against the WHS Act when NDRA are State aircraft<sup>2</sup>
  - b. defining accountabilities of MAOs and Sponsors where recognised National Airworthiness Authorities' (NAAs) and Military Airworthiness Authorities' (MAA) oversight of NDRA may not satisfy Defence WHS obligations.
6. The proposed amendment incorporates the principles of Ref C by:
  - a. defining terms specific to the regulation
  - b. including flexibility provisions (ie 'exceptions') for MAOs and Sponsors conducting NDR operations
  - c. improving the structure and content of the Implementing Regulation (IR), Acceptable Means of Compliance (AMC) and Guidance Material (GM).

### Benefits of proposed changes

7. The benefits of this proposal include:
  - a. improving regulatory accountability and support of oversight
  - b. clarifying the determination of various NDRA as 'State' or civil aircraft
  - c. clarifying the applicability of other DASR to various NDR activities
  - d. improving the definition of the required level of safety
  - e. improving aviation safety controls
  - f. providing relief to MAOs and Sponsors through exception clauses
  - g. improving alignment with:
    - (1) Defence policy
    - (2) relevant legislation.<sup>3</sup>

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<sup>2</sup> The Civil Aviation Act 1988 (as amended in 2003), defines State aircraft as '*aircraft of any part of the Defence Force (including any aircraft that is commanded by a member of that Force in the course of duties as such a member)...*'.

<sup>3</sup> Including the WHS Act 2011 (Commonwealth), TSI Act (Commonwealth) and CAA 1988 (As amended 2003) (Commonwealth).



## Effects of proposed changes

8. The proposed amendments impose no new IR compliance obligations for MAOs and Sponsors.

## Proposed amendments

9. The revised regulation is in Enclosure 1.

## Implementation strategy

10. DASA will release the proposed regulation in Oct 22. No additional training obligations apply. DASA proposes a transition<sup>4</sup> timeframe of 12 months from DASR release.

## HOW TO SUBMIT COMMENTS ON THIS NPA

### Format

11. Please record responses to this NPA on the *Response Sheet* included in Annex A and submit responses by email to [DASA](#). Hardcopies are not required.

### Timing

12. Please forward comments on this NPA to DASA by close of business 29 Jul 22.

### Additional information

13. Additional information on this NPA is available from WGCDR Chris Pouncey, DD-FLTOPS (DAVNOPS-DASA), at [chris.pouncey@defence.gov.au](mailto:chris.pouncey@defence.gov.au) or (03) 5169 8204.

## DISPOSITION OF RESPONSES RECEIVED

14. DASA will publish a Comment Response Document on the [DASA Website](#). DASA will not individually acknowledge or respond to comments or submissions.

### D Smith

GPCAPT

DAVNOPS

Defence Aviation Safety Authority

Tel: (02) 5130 7735

Jul 22

### Annex:

A. NPA 2021/019 Revision 0 – DASR NDR Response Sheet.

### Enclosure:

1. NPA 2021/019 Revision 0 – Proposed Changes to DASR NDR.

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<sup>4</sup> During transition DASA will not enforce compliance with the new regulation—allowing organisations time to implement new requirements.



## NPA 2021/019 Revision 0 Response Sheet

### DASR NDR

Please forward this sheet as an email attachment to [DASA](#) by 29 Jul 22. A word version of this response sheet can be found via Obj No: [BO3960659](#) or alternatively contact [DASA](#).

Please indicate your acceptance or otherwise of this proposal by ticking the appropriate box below. Additional comments, suggested amendments or alternative action are welcome and may be provided on this response sheet or by separate correspondence.

- The proposal is **acceptable without change**.
- The proposal is **acceptable but would be improved if the following changes were made**:
- The proposal is **not acceptable but would be acceptable if the following changes were made**:

LSN	NPA Reference: (ie Regulation number, NPA paragraph etc)	Comment or suggested change	Explanation
1			
2			
3			
4			
5			

#### RESOURCE IMPLICATIONS

Please provide specific comment on any significant resource implications that this proposal may have for your organisation, for both its implementation and ongoing compliance. Your comments should address both financial and human resource considerations.

Resource implications – Proposal implementation	
Resource implications – Proposal sustainment	



## RESPONDENT DETAILS

<b>Your name:</b>	
<b>Submission date:</b>	
<b>Your organisation:</b>	
<b>Email address:</b>	
<b>Postal address:</b>	
<b>Phone:</b>	
<b>Whose views are represented in your response?</b> <b>(ie is your response the authoritative response from your organisation?)</b>	Responding on behalf of : Individual [ <input type="checkbox"/> ] Regulated Military entity [ <input type="checkbox"/> ] Regulated Commercial entity [ <input type="checkbox"/> ] Wing HQ [ <input type="checkbox"/> ] Group HQ [ <input type="checkbox"/> ] ADF Regulatory, Technical or Logistics policy agency [ <input type="checkbox"/> ] Other commercial entity [ <input type="checkbox"/> ] Other [ <input type="checkbox"/> ] Please describe:
<b>Do you consent to your name being published as an NPA respondent within the NPA Summary of Responses:</b>	YES [ <input type="checkbox"/> ] NO [ <input type="checkbox"/> ]



**NPA 2021/19 REVISION 0**  
**PROPOSED CHANGES TO DASR NDR**  
**NON DEFENCE REGISTERED**

**Contents**

**Section 1:** Updated Definitions

**Section 2:** New DASR NDR Implementing Regulation (IR) only

**Section 3:** New DASR NDR IR, Acceptable Means of Compliance (AMC) and Guidance Material (GM)



## SECTION 1: UPDATED DEFINITIONS

1. The following **updated** definition is proposed for the DASR Glossary.

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**Sponsor.** The appointment accountable for defining the required aviation outcome, who receives or uses the outcome, and is responsible for funding the related activities, processes, project or products required to safely achieve the outcome. The Sponsor need not be within a Military Air Operator organisation.

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## SECTION 2: NEW DASR NDR IR ONLY

The following replaces the extant DASR NDR IR in toto.

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### DASR NDR – Non Defence Registered Aircraft

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#### DASR NDR.05 – Operation of Non-Defence Registered Aircraft by Defence organisations (AUS)

- (a) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by or on behalf of Defence must ensure the Aircraft's operation is subject to the regulatory requirements of a DASA recognised NAA or MAA. ▶ GM ▶ AMC
- (b) As an exception, DASR NDR.05(a):
  - 1. only applies to Defence flying clubs where those clubs will operate from a Defence Aerodrome with NDRA
  - 2. does not apply to:
    - (i) persons authorising Defence Personnel to fly on foreign military Aircraft, chartered or leased Aircraft, or on foreign civil RPT airline flights IAW CDF Directive 12/16
    - (ii) persons authorising Defence Personnel to fly on Australian RPT airline flights ▶ GM
    - (iii) the following sports aviation activities:
      - a. amateur built and experimental Aircraft
      - b. gyroplanes
      - c. hang gliders, paragliders and powered parachutes
      - d. light recreational and microlight Aircraft
      - e. model Aircraft (ie unregistered), unless conducted as a Defence flying club activity.
- (c) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by or on behalf of Defence must implement safety controls to the operation of non-Defence registered Aircraft such that it is reasonably expected that Suitability For Flight will not be compromised. ▶ GM ▶ AMC





- (d) As an exception, DASR NDR.05(c) does not apply to persons authorising Defence Personnel to fly on Australian RPT airline flights. ▶ GM
- (e) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by, or on behalf of Defence must suspend Flight operations when Suitability For Flight is believed to be compromised. ▶ GM ▶ AMC
- (f) DASA must approve any Defence operation of a non-Defence registered Aircraft to be operated under an Experimental Certificate of Airworthiness. ▶ GM ▶ AMC

## DASR NDR.10 – Operation of NDRA by Defence Personnel (AUS)

- (a) Defence Personnel that operate a Non-Defence Registered Aircraft (NDRA) on behalf of Defence must comply with the DASA recognised NAA or MAA regulatory requirements and any further controls imposed by the relevant Sponsor. ▶ GM ▶ AMC
- (b) As an exception to DASR NDR.10(a), Defence Personnel that operate a chartered, dry, or short term leased NDRA may comply with DASR instead, providing that the applicable Aircraft is not flown outside of its civil-approved Configuration Role and Environment without the relevant NAA or MAA approval. This affords flexibility for Defence Personnel to utilise their existing qualifications without having to undertake additional training, and recognises that some Rules of the Air, as published by NDRA regulators, may not be complied with due to operational requirements.

## DASR NDR.15 – Foreign Military Operations in Australia (AUS)

▶ GM

- (a) The Sponsor who approves a foreign military Aircraft to operate within Australian airspace as part of Defence exercises, capability trials or under other sustained operations must ensure that the foreign Aircraft operation will not compromise Suitability For Flight. ▶ GM ▶ AMC
- (b) As an exception to DASR NDR.15(a), foreign military Aircraft are exempted where they:
  - 1. operate as a passenger transport or for air cargo Flight, transiting through Australian airspace (including stopovers without conducting military activities)
  - 2. are used as a static display for commercial interests and will not conduct military operations as part of their time within Australian airspace (eg Aircraft used by a visiting State dignitary that will remain parked until the State visit is completed, or a foreign military Aircraft used only as a static display Aircraft at an air show—unless the Aircraft was to conduct an air demonstration, where the regulation is not derogated).
- (c) The Sponsor who approves a foreign military Aircraft to operate within Australian airspace must suspend the foreign military Aircraft flight operation when there is concern that Suitability For Flight may be compromised. ▶ GM ▶ AMC

## SECTION 3: NEW DASR NDR IR, AMC and GM

The following replaces the extant DASR NDR IR, AMC and GM in toto. **AMC** in purple text. **GM** in brown text.

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### DASR NDR – Non Defence Registered Aircraft

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#### DASR NDR.05 – Operation of Non-Defence Registered Aircraft by Defence organisations (AUS)

- (a) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by or on behalf of Defence must ensure the Aircraft's operation is subject to the regulatory requirements of a DASA recognised NAA or MAA. ▼ GM ▼ AMC

#### AMC NDR.05(a) – Evidence of NAA or MAA oversight (AUS)

- a. DASA recognised NAA and MAA are listed on the DASA website.
- b. An NDRA under the oversight of a recognised NAA or MAA will have documents supporting the Aircraft's airworthiness status that include:
  - i. a current Type Certificate, or equivalent document; for the Aircraft type/class
  - ii. a Certificate of Airworthiness (CoA), or equivalent document, for each Aircraft
  - iii. any additional NAA or MAA directives, limitations or restrictions that apply to the relevant Aircraft
  - iv. an Air Operator's Certificate (AOC), or equivalent certificate, applicable for the operation to be conducted
  - v. system of maintenance approval, or equivalent document.
- c. **Supplementing NAA or MAA oversight.** MAOs and Sponsors of NDRA must supplement NAA or MAA oversight when compelling reasons exist. Compelling reasons are when:
  - i. the relevant NAA has inadequate competence because a NDRA:
    - (a) contains a military-like modification or role equipment
    - (b) operates in a military-like role and/or environment
  - ii. there is clear evidence that an NAA or MAA is not applying the regulations and level of oversight that its policy (either written or unwritten) should apply to the relevant Aircraft



- iii. Defence Aircrew or Defence passengers flying in an Aircraft possess a fundamentally different skillset or understanding of their obligations to that envisaged by the NAA or MAA in deciding what regulations and oversight they should apply.
- d. **ADF Currency Flying Scheme (ACFS).** Short-term lease includes operation of NDRA for the purposes of the ACFS. Aircraft hired for operations under the ACFS should be subject to the requirements of a CASA issued AOC or CASA Part 141 certificate.
- e. **Defence flying clubs.** The Sponsor should appoint an OIC flying club to ensure that the Defence flying club will operate under a valid AOC applicable to the activities being conducted, but the AOC need not be directly held by the flying club.
- f. **DASR applicability.** The applicability of other DASR (in addition to DASR NDR) to various NDR activity groupings is detailed in Table 1. (Table 1 to be issued).

### **GM NDR.05(a) – Oversight of NDR operations (AUS)**

- a. **Purpose: (Context)** Aircraft certified and oversighted by other National Airworthiness Authorities (NAA) and Military Airworthiness Authorities (MAA) can provide Defence with enhanced capabilities. Defence therefore often purchases, wet leases, dry leases, charters, or authorises operation of Non-Defence Registered Aircraft (NDRA) by or on behalf of Defence, to deliver directed capability. **(Hazard)** Suitability For Flight can be compromised when the parent NAA or MAA of NDRA do not implement or execute the regulatory and oversight systems expected by the DASA. **(Defence)** This regulation requires MAO-AMs and Sponsors of NDRA to operate in accordance with the airworthiness requirements of DASA recognised NAAs or MAAs; and to ensure that NDRA are operated in a manner such that risks are eliminated or otherwise minimised SFARP.
- b. While most Aircraft acquired for use by Defence are listed on the Defence Register, circumstances exist where Defence registration may be impractical, inappropriate or even undesirable. Defence activities may involve the use of Australian civil registered Aircraft or foreign registered Aircraft. In such cases, the flexibility to operate a NDRA enhances Defence capability. However, the operation of a NDRA does not remove the requirement to ensure that acceptable aviation safety management is in place prior to NDRA use.
- c. Conditions where a NDRA may be operated by or on behalf of Defence include:
  - i. Aircraft performing in a configuration, role and environment substantially similar to an equivalent civilian Aircraft type.
  - ii. Aircraft undergoing flying activity prior to issue of a Defence airworthiness instrument.
  - iii. Foreign military Aircraft operated by Defence Personnel.
  - iv. Aircraft temporarily chartered in support of Defence operations (except IAW CDF Directive 12/2016).
  - v. Aircraft temporarily operated by Defence Personnel in the course of their duties.
  - vi. Aircraft in which Defence Personnel are deemed Crew for Defence purposes.
  - vii. Aircraft in which Defence Personnel are Passengers for Defence purposes.
  - viii. Temporary operation of an Aircraft for the purpose of capability trials or demonstrations.
  - ix. Aircraft conducting approved sports aviation activities for Defence purposes.



- x. The following sports aviation activities:
  - (a) gliders
  - (b) parachuting.
  - (c) recreational ballooning
  - (d) Warbirds Historic and Replica Aircraft (WHRA).
  
- d. **Defence flying clubs.** Flying is recognised as an approved Defence recreational activity. The management of flying clubs is facilitated under the auspices of the Air Force Sports Council (AFSC).
  
- e. **CASA Recreational Aviation Administration Organisations (RAAOs).** CASA established an extended sports aviation oversight system of approved RAAOs. The system allows CASA to set the regulations and then work in close cooperation with an established RAAO to make sure the regulations are applied and enforced.
  
- f. A RAAO provides CASA with specialist knowledge and insight into the relevant sport aviation industry. A RAAO will oversight members' activities and continually assess how the required performance standards are being achieved in accordance with RAAO operational regulations.
  
- g. CASA needs to be fully confident that each RAAO has the capacity to provide the safety outcomes required and therefore aspires to monitor RAAO conformance through six-monthly reporting, annual auditing and ongoing engagement. If an RAAO cannot assure CASA confidence, then CASA will not allow the organisation to continue to administer its activities under the exemption.
  
- h. The following CASA documents provide additional information on expectations of sports aviation management:
  - i. CASR Part 149 Approved self-administering aviation organisations
  - ii. CASR Part 149 Manual of Standards
  - iii. CASA AC 149-01 Approved self-administering aviation organisations.
  
- i. CASA approved RAAOs include:
  - i. The [Australian Ballooning Federation \(ABF\)](#). The ABF administers recreational ballooning, to standards accepted by CASA. Recreational ballooning refers to those pilots who hold a private ABF issued balloon certificate and who don't carry fare-paying passengers. In addition to regulatory requirements, the ABF publishes information to keep its members informed of safety standards.
  - ii. The [Australian Parachute Federation \(APF\)](#). The APF is an organisation which controls skydiving and parachuting for civilian operations in Australia. With the approval of CASA the APF sets operational standards, issues licences and instructor ratings, conducts exams and publishes information to keep its members informed of safety standards.
  - iii. The [Australian Warbirds Association Limited \(AWAL\)](#). The AWAL RAAO is the industry body that undertakes self-administration of the Special (limited category) CoA, which includes ex-military Aircraft. AWAL is recommended in AC 21.5(0) as the RAAO best suited to advise people or organisations who desire to restore ex-military heritage Aircraft. AWAL services include:



- (a) administration of Limited Category Warbirds Historic and Replica Aircraft (WHRA) on behalf of CASA
  - (b) provision of maintenance systems for various warbird types
  - (c) the conduct of seminars and training days for engineers, owners, and pilots of limited category Aircraft.
- iv. The [Gliding Federation of Australia \(GFA\)](#). The GFA is the RAAO responsible for gliding (and glider aerotowing operations) and has accepted responsibility for glider Airworthiness through CASA authorised exemptions and delegations.

(b) As an exception, DASR NDR.05(a):

1. only applies to Defence flying clubs where those clubs will operate from a Defence Aerodrome with NDRA.
2. does not apply to:
  - (i) persons authorising Defence Personnel to fly on foreign military Aircraft, chartered or leased Aircraft, or on foreign civil RPT airline flights IAW CDF Directive 12/16
  - (ii) persons authorising Defence Personnel to fly on Australian RPT airline flights ▼ GM

#### **GM NDR.05(b)2(ii) – Australian RPT flights (AUS)**

The level of safety afforded by major Australian airlines such as Qantas and Virgin are acceptable to Defence as they uphold similar safety standards.

- (iii) the following sports aviation activities:
- a. amateur built and experimental Aircraft
  - b. gyroplanes
  - c. hang gliders, paragliders and powered parachutes
  - d. light recreational and microlight Aircraft
  - e. model Aircraft (ie unregistered), unless conducted as a Defence flying club activity.

(c) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by or on behalf of Defence must implement safety controls to the operation of non-Defence registered Aircraft such that it is reasonably expected that Suitability For Flight will not be compromised. ▼ GM ▼ AMC

#### **AMC NDR.05(c) – Sponsor obligations for operating NDRA (AUS)**

- a. The Sponsor approving the acquisition or operation of a NDRA is responsible for the associated safe aviation outcomes, including that Suitability For Flight will not be compromised.
- b. All NDR may be operated either under a MAOC or an Authority To Operate (ATO).
- c. **NDRA operation under ATO.** Where it is not practical or desirable to operate NDRA under a MAOC, Defence outcomes may be achieved through the flexibility of NDRA operation under an ATO.



- d. Sponsor risk controls for an NDRA ATO should include:
  - i. advising DASA of the intent to operate a NDRA
  - ii. identification of the most recent DASA recognised NAA or MAA oversight activity
  - iii. Sponsor actions corresponding to the DASA recognised NAA or MAA oversight activity outcomes (or lack of DASA recognised NAA or MAA oversight activity)
  - iv. supplementing DASA recognised NAA or MAA oversight where compelling reasons exist
  - v. conducting a Suitability For Flight determination
  - vi. implementing additional safety controls to eliminate or otherwise minimise risk SFARP; and complementary contractual controls
  - vii. conducting Aviation Safety reviews IAW DASR SMS (eg Aviation Hazard Review Board)
  - viii. issuing an ATO
  - ix. maintaining a current ATO register, and providing DASA with a link to the register.
- e. The NDRA sponsor may defer, or be directed to defer, the ATO decision to the DASA.
- f. **Suitability For Flight of NDRA.** MAOs and Sponsors should eliminate, or otherwise minimise risk (associated with NDRA Flight) SFARP to:
  - i. loss of life or injury to aircrew and passengers
  - ii. loss to other personnel or property as a direct consequence of the flight
  - iii. loss of, or damage to, the Aircraft.
- g. NDRA Suitability For Flight includes operation:
  - i. in approved roles appropriate to the certification basis of the Aircraft as described in the applicable Type Certificate or authorised exemption
  - ii. within the limitations and conditions established by the certifying authority in the applicable Aircraft operating instructions, Type Certificate and/or authorised exemption
  - iii. IAW an applicable DASA recognised NAA or MAA aviation safety regulations appropriate to the Aircraft operating role and environment
  - iv. by flight crew and maintenance personnel who are deemed qualified and capable by a DASA recognised regulatory framework
  - v. within Defence approved levels of risk to first, second and third party persons or property
  - vi. IAW any directives or requirements issued by the DASA recognised NAA or MAA
  - vii. IAW any directives or requirements issued by DASA
  - viii. IAW approved MAO or Sponsor risk assessments IAW DASR SMS
  - ix. IAW orders and instructions issued by the relevant MAO or Sponsor.



- h. **Contractual controls.** A Sponsor desiring to utilise NDRA must do so under the terms of an enforceable, legally binding instrument that requires the NDRA operator to comply with defined lease requirements.
- i. The legally binding instrument should include an obligation:
- i. for the Aircraft Captain, Crew, Aircraft owners, and operators to abide by ICAO and relevant NAA or MAA requirements to the extent defined in the legal instrument
  - ii. to implement an accident and incident reporting system that, in addition to the relevant NAA or MAA requirements (ie the NAA or MAA with jurisdiction over the platform that is the subject of the incident report), includes an equivalent notification period to DFSB. This is to ensure Defence awareness of safety issues, to allow for improved control over service provision under the contract, particularly outside Australia. In addition to country of occurrence incident reporting, the legal instrument should identify the 1800 notification number for both Australian Transport Safety Bureau (ATSB) and DFSB, as required; the desired reporting formats, and email notification addresses.
  - iii. upon request, to make all documentation and records supporting the Continuing Airworthiness of the Aircraft available to Defence, including:
    - (a) records, which may include but not be limited to, any contracts, inspection documents, and accident reporting or incident reporting requirements) used to establish and maintain the continuing airworthiness of the Aircraft operation
    - (b) documentation, which may include but not limited to, documents provided to the recognised NAA, operations manuals, maintenance records, individual licenses (aircrew and maintenance), competency and currency records, flight records, safety occurrence reports and investigation reports.
  - iv. to comply with the Australian Work Health and Safety (WHS) Act 2011 as appropriate.
  - v. to comply with IATA Dangerous Goods requirements, and that any exemption from IATA Dangerous Goods requirements will comply with DASR ACD
  - vi. for any sub-contracts to be subject to the requirements of this regulation (to ensure Defence has the ability to conduct regulatory oversight across the complete operation if required)
  - vii. for the Aircraft Captain, Crew, Aircraft owners, and operators to allow Defence to:
    - (a) conduct any safety inspections prior to task or at any time during the charter (to ensure Defence has the ability to conduct regulatory oversight across the complete operation if required).
    - (b) apply additional aviation safety controls and limitations to ensure Aircraft operation will not compromise Suitability For Flight
  - viii. for the inclusion of appropriate insurance policies, to cover the legal liabilities of both Defence and the registered operator for the lease activity (noting the registered operator may already have appropriate insurance coverage, but may not provide the required cover for a Defence person operating the Aircraft).
- j. **Ramp Inspections.** Ramp Inspections should:
- i. allow the MAO or Sponsor to access applicable resources relevant to inspecting the Aircraft shortly prior to Flight regarding readily apparent technical issues and the overall operational readiness of the Aircraft



- ii. be delegated to aviation safety personnel:
  - (a) to ensure appropriate risk management and resource management
  - (b) who have relevant experience and are deemed competent by the MAO or Sponsor to conduct them.
- iii. be conducted by inspections teams that comprise at least one operational representative, one maintenance representative and other relevant personnel as required, as identified by the MAO, Sponsor or Service Headquarters.
- iv. where not dry leased, be conducted on NDRA used by or on behalf of Defence:
  - (a) if the lease will be for 12 months or longer
  - (b) proportional to the amount of sorties the Aircraft will conduct (eg for WHRA, a sortie rate of more than three flights in a three month period may be sufficient activity to consider a Ramp Inspection. However, consideration does not mean an inspection must occur).
- v. provide inspections reports to the MAO or Sponsor; and where adverse inspections are reported, also provided to DASA.
- k. **Sports aviation controls.** General controls for assessing sports aviation activity risks should include that:
  - i. the Aircraft will operate under a CASA approved instrument
  - ii. the Aircraft will operate IAW the regulatory requirements of a CASA recognised RAAO
  - iii. any Defence Personnel or organisation identified to undertake the activity will be a full member of the relevant RAAO prior to conducting the activity (full membership assures Defence Personnel are able to obtain all required compliance information from the RAAO, as well as other benefits supporting safe conduct of the activity)
  - iv. a periodic safety audit has been conducted, where an appropriate audit includes any CASA approved audit process or Service-recognised audit process.
- l. **ADF Cadets flying operations controls.** The Sponsors for ADF Cadets' flying related operations are DGCADETS-AF, DG ANC & Reserves, and COMD AAC respectively.
- m. The Sponsors are to utilise Operations Manuals as approved by DASA to support ADF Cadets' flying operations.
- n. **Gliding operations controls.** Glider activity may only be conducted IAW the regulatory requirements of the GFA, supplemented by any additional Sponsor requirements.
- o. The Sponsors for ADF Cadets' gliding activities are DGCADETS-AF, DG ANC & Reserves, and COMD AAC respectively.
- p. A glider need not be operated under an Air Operator's Certificate.
- q. **Parachute operations controls.** The Sponsors for parachute operations and activities are as follows:
  - i. for ADF Cadets, DGCADETS-AF, DG ANC & Reserves, and COMD AAC respectively





- ii. for Defence parachute activities, CO Parachute Training School.
- r. General controls for assessing parachute operations activity risk from NDRA by Defence members on duty should include consideration that:
  - i. if parachute operations are likely to exceed either 70 events per year, or 10 events per month, that the NDRA will meet full NDRA requirements
  - ii. the commercial or private entity is an APF member organisation
  - iii. parachute operations are conducted in accordance with APF Operational Regulations, or the Defence Parachute Training School Standing Instructions, as appropriate
  - iv. the Aircraft operator is compliant with the APF regulations, as confirmed through review of an APF Safety Audit (Aircraft Operations Supplementary Safety Audit) conducted on the operator within the previous 12 months
  - v. where parachute operations exceed 3 events per annum or the number of Defence Personnel involved in any one event is greater than 10, a Ramp Inspection is conducted prior to first operations with the Aircraft
  - vi. the Aircraft pilot holds a CASA issued Commercial Pilots License (Aeroplane) (CPL(A)) or an Air Transport Pilots Licence (Aeroplane) (ATPL(A))
  - vii. operations need not be conducted under an AOC, but it is desirable to do so.
- s. **Recreational ballooning controls.** Ballooning may only be conducted IAW the regulatory requirements of the ABF, supplemented by any additional Sponsor requirements.
- t. RAAF balloons may also be subject to supplementary oversight as directed by DASA.
- u. **Warbirds Historic and Replica Aircraft (WRHA) Controls.** The following general controls apply:
  - i. WHRA that do not qualify for a special (limited category) Certificate of Airworthiness (CoA) may operate in accordance with an experimental certificate issued by CASA under CASR 21.191 (CASA currently maintains administrative responsibility for Aircraft issued with an experimental certificate).
  - ii. Under DASR NDR.05.A, DASA has reserved the decision for approving the operation of WHRA issued with an experimental certificate due to the associated airworthiness exceptions.
  - iii. WHRA Sponsor controls that should be considered to assist in ensuring that WHRA operation will not compromise Suitability For Flight include:
    - (a) For an Aircraft with a Special CoA, the registered operator is approved for special purpose operations under the administration of a CASA recognised RAAO.
    - (b) The Aircraft is maintained in accordance with a Defence recognised or approved maintenance system, and the Aircraft has a current maintenance release.
    - (c) The Aircraft is maintained in accordance with the approved Australian Warbirds Association Limited (AWAL) maintenance system.
    - (d) Defence Personnel may not fly as passengers aboard WHRA, regardless of CoA status, unless deemed mission essential and approved by the Sponsor.



- (e) If leased for more than 3 flights (start-ups and shutdowns), but less than 12 flights in a 12-month period, a Ramp Inspection should be conducted prior to first WHRA use and then on an annual basis thereafter.
- iv. Additional WHRA Sponsor controls that should be considered for WHRA leased from a private or commercial entity include:
  - (a) WHRA operations need not be conducted under an AOC, but it is desirable to do so.
  - (b) WHRA operation under an experimental certificate complies with DASR NDR.05(f).
  - (c) Ensuring that prior to WHRA first flight, the registered operator is approved for special purpose operations under the administration of a CASA recognised RAAO and CAR 262 Authorised person.
- v. The WHRA Sponsor, in addition to contractual controls at paragraph h. of this AMC, should consider additional lease controls to limit WHRA operations to the following activities:
  - (a) training of Defence Personnel to qualify for an Aircraft flying endorsement for an Aircraft Type or category in which the Aircraft is included, and that flying instructors are appropriately qualified and licensed.
  - (b) practice by Defence Personnel in flying the Aircraft in, or training for, a special purpose operation for which the Aircraft is certified.
  - (c) an operation necessary to maintain Aircrew Currency of Defence Personnel on the Aircraft Type.
  - (d) flying the Aircraft to or from a place where the above Flights are to occur.

### **GM NDR.05(c) – NDRA safety considerations (AUS)**

- a. **Purpose: (Context)** Defence NDRA operating contexts and personnel competencies may be subtly different, or unique, to that intended by parent NAAs or MAAs. **(Hazard)** Suitability For Flight can be compromised when Defence NDRA operating contexts and personnel competencies do not meet DASA Suitability for Flight expectations. **(Defence)** This regulation requires MAO-AMs and Sponsors of NDRA outcomes to implement all additional safety controls required to ensure that that risks are eliminated or otherwise minimised SFARP.
- b. While restricting utilisation of NDRA to Aircraft that are operated under the regulatory control of a DASA recognised NAA or MAA is an effective safety control, this control in isolation may not deliver Defence the required aviation safety outcomes. The imposition of additional MAO or Sponsor safety controls as required, on the operation of NDRA, will assist in mitigating associated hazards.
- c. Understanding the Hazards associated with NDRA is critical to identifying required controls and delivering acceptable safety outcomes. The MAO or Sponsor should consider all elements of Suitability For Flight. For example, whether the NDRA will carry Defence Personnel as Passengers, or the loss of the NDRA over a populated area.
- d. Factors such as type of NDRA charter, length of charter, and operational circumstances, will influence the level of compliance and assurance in each case. DASA may recommend additional levels of mitigation for the operation of the NDRA by endorsing the contractual terms of the lease intended for use, or specifying any additional terms and limitations that may be necessary.



- e. When defining the NDRA acquisition, contracting or approval strategy; or proposed NDRA operations, the MAO or Sponsor should consider:
- i. establishing a Sponsor arrangement that aligns Sponsor accountabilities to command and control over NDRA outcomes (noting that this may require multiple Sponsors for Defence or Service-wide purchases, wet leases, dry leases, charters or authorisations of NDRA)
  - ii. Defence Registration as an alternative, when:
    - (a) NDRA operations are expected to occur for a period in excess of 12 months, and
    - (b) the Aircraft contains a military-like modification or role equipment, or
    - (c) the Aircraft operates in a military-like role and environment.
- f. Should the MAO or Sponsor request DASA assistance, the following NDRA information may be required:
- i. identification of the:
    - (a) proposed operator
    - (b) Aircraft make, model and tail number(s)
    - (c) Aircraft owner
    - (d) Aircraft operator
    - (e) country of registration or regulator, and country of maintenance or regulator
  - ii. number of sorties expected, and duration, over an average calendar period, and over a maximum sortie period
  - iii. total number of Defence Personnel to be transported (if relevant), or special cargo requirements
  - iv. a description of the operational imperative or practical necessity that requires the use of the NDRA
  - v. details of any current or recent AOC, or equivalent
  - vi. comparison of military options available, and what other lower risk civilian assets are available as an alternative
  - vii. any relevant notes or comments from the tasking authority
  - viii. the aviation activities the Aircraft operator is endorsed to undertake and the organisation that provided the endorsement
  - ix. any relevant findings regarding oversight activities already conducted by the NAA or MAA.
- g. Where the proposed NDRA Sponsor is not a DASA appointed authority, advice should be sought from DASA.
- h. **Approval To Operate (ATO).** The level of rigour applied to an ATO decision is dependent on the Aircraft lease or ownership context. In some cases, such as a one off charter or short term lease, the ATO may be issued verbally. In other cases, such as a dry lease, a DASA independent review



may be necessary. Generally, NDRA long-term leases or on-going operations should be conducted under a MAOC, as ATOs are issued for a specified period.

- i. The Sponsor ATO register assists DASA to remain aware of changes to sponsoring NDR activities, and for the identification of contacts in case of an Aviation Safety Event.
  - j. **Ramp inspection.** The purpose of a Ramp inspection of NDRA is to provide the MAO or Sponsor a higher degree of confidence that the operator, Flight Crew and Aircraft intended for use by or on behalf of Defence, is Suitable For Flight by ensuring that the Aircraft and Crew do not display significant defects or obvious aviation safety issues.
  - k. A Ramp inspection is an acknowledged means of providing additional confidence in the fitness for purpose of a NDRA intended for use by or on behalf of Defence.
  - l. Ramp inspections may also be suitable for services provided to Defence Personnel under sport aviation activities and who may be conducting non-Defence required activities, but require Sponsor approval in order to participate in such an activity (eg a civilian parachuting club). A ramp inspection does not provide a means to gain an exception from a relevant DASR; rather, it provides an improved understanding of suspected or known facts.
  - m. **Warbirds Historic and Replica Aircraft (WHRA).** Defence operates a small and diverse fleet of Defence-owned WHRA that are civil registered for the purpose of maintaining Australian military heritage, and to promote Defence within the wider community. In general, WHRA are designed and manufactured to historical standards, and for various reasons are no longer eligible for the issue of a Type Certificate, and by extension, a Standard Certificate of Airworthiness (CoA). In such cases, CASA may approve a special purpose operation where a WHRA is issued with a Special (limited category) CoA under CASR 21.189 for the purposes that are set out in CASR 21.189(3), and as prescribed in Civil Aviation Regulation (CAR) 262.
  - n. CASA does not require limited category ex-military Aircraft to comply with any specific civil airworthiness standards or design codes. The basic eligibility requirement for certification of a limited category Aircraft is that it is one of a Type that at some stage has undergone some form of formal airworthiness acceptance process. If the Aircraft Type is of military origin, then it must have been produced in accordance with the requirements of, and accepted by, an armed force of any nation. The applicant must also demonstrate to CASA the safe history of operation of the Type. If the Aircraft is of civil origin, then an authorised person or CASA, must be satisfied that the Aircraft meets the Airworthiness requirements (present or past) applicable to an Aircraft for which a Standard CoA has been issued, except for any requirements that are inappropriate for the special purpose(s) for which the Aircraft is to be used.
  - o. The short term lease of WHRA by Defence may represent an increased Airworthiness risk due to the operation of an Aircraft designed to a reduced or unknown original Airworthiness standard, and the operation of an Aircraft that is not part of an organisation covered by a civil Air Operators Certificate (AOC).
- (d) As an exception, DASR NDR.05(c) does not apply to persons authorising Defence Personnel to fly on Australian RPT airline flights. ▼ GM

### **GM NDR.05(d) – Australian RPT flights (AUS)**

See GM NDR.05(b)2(ii).

- (e) The Sponsor that purchases, wet leases, dry leases, charters or authorises operation of a non-Defence registered Aircraft by, or on behalf of Defence must suspend Flight operations when Suitability For Flight is believed to be compromised. ▼ GM ▼ AMC



### AMC NDR.05(e) – When to suspend NDRA (AUS)

- a. Suspension of NDRA flight operations should occur when:
  - i. there is clear evidence that an NAA or MAA is not applying the regulations and level of oversight that its policy requires to the relevant Aircraft; or
  - ii. the aircrew or passengers flying in the Aircraft are of a fundamentally different category to that envisaged by the NAA or MAA in deciding what regulations and oversight to apply; or
  - iii. the Aircraft operations generate a risk that is significantly increased from the risk considered by the NAA or MAA in deciding what regulations and oversight should apply.
- b. **Cancelling suspension.** Procedures to reinstate Flight operations should follow the general guidance and procedures provided for Defence registered Aircraft, noting that engagement with the NAA or MAA may be required.

### GM NDR.05(e) – Suspension of NDRA operations (AUS)

- a. **Purpose:** See DASR GM NDR.05(c).
  - b. Suspension of flight will treat a Defence aviation risk, noting that a contracted flying organisation operating the Aircraft may still use it for another non-Defence purpose. As such, any suspension of flight regarding NDRA should be advised to the relevant NAA or MAA, and DASA.
- (f) DASA must approve any Defence operation of a non-Defence registered Aircraft to be operated under an Experimental Certificate of Airworthiness. ▼ GM ▼ AMC

### AMC NDR.05(f) – Approval To Operate a NDRA (Experimental CoA) (AUS)

- a. DASA approval may be obtained through consultation with DASA. Depending on the conditions of intended use and other factors, the rigour applied will be tailored appropriately.

### GM NDR.05(f) – Approval To Operate a NDRA (Experimental CoA) (AUS)

- a. **Purpose:** See DASR GM NDR.05(c).
- b. CASA, or an authorised person, can issue experimental CoAs to allow specific operations of Aircraft that are not by their nature Type certified, or have certain unapproved modifications embodied. Defence has a duty of care to ensure Defence Personnel operating such Aircraft are provided command and DASA oversight. Any requests to the DASA for approval to operate NDRA with experimental CoA will undergo rigorous assessment, to support the DASA decision making process.

## DASR NDR.10 – Operation of NDRA by Defence Personnel (AUS)

- (a) Defence Personnel that operate a Non-Defence Registered Aircraft (NDRA) on behalf of Defence must comply with the DASA recognised NAA or MAA regulatory requirements and any further controls imposed by the relevant Sponsor. ▼ GM ▼ AMC

### AMC NDR.10(a) – Sponsor controls (AUS)

- a. Sponsor controls available for Defence members who intend to hire, lease or operate a NDRA within the scope of this regulation, may include:
  - i. compliance with DASR NDR.05.(a) and DASR NDR.05.(c) as appropriate



- ii. restricting carriage of Passengers to Mission Essential personnel that are:
    - (a) required to travel on the Aircraft for duty
    - (b) civilian instructional staff required to perform supervision and assessment for the purposes of attainment of a requisite civil license and appropriate endorsements.
  - iii. that the Aircraft is maintained IAW a Defence recognised maintenance system, and the Aircraft has a current maintenance release
  - iv. the implementation of additional Flying Management System controls as appropriate.
- b. **Controls for Pilots of NDRA on the Australian civil register.** The controls required to ensure that Defence Personnel who, in the course of their duties, are required to safely operate a NDRA on the Australian civil register, include that those Defence Personnel:
- i. hold a current and appropriate civil aviation medical, licence, endorsements and ratings relevant to the Aircraft Type and operations to be conducted:
    - (a) without Passengers – a current and appropriate civil aviation license
    - (b) with Passengers – a current civilian Commercial Pilots Licence (CPL), and have a current Command Instrument Rating (CIR) (noting that military pilots who qualify for entry into the Aircrew Currency Flying Scheme (ACFS) are not required to hold a civilian CIR if they have previously held an instrument rating on a military Aircraft).
  - ii. do not need to maintain a Defence medical IAW DASR MED.10 solely for the purpose of NDRA operation
  - iii. operate within the scope of a valid Air Operator's Certificate (AOC) or CASA Part 141 Certificate
  - iv. log flying times IAW CASA requirements in the member's Defence flying logbook
  - v. operate under the relevant Civil Aviation Safety Regulations (CASR), or equivalent, for the Type of Aircraft and operation; and any other DASR as defined in this regulation.
- c. **Controls for Aircraft owned by Defence Personnel used while on duty.** The Sponsor may approve Defence Personnel to operate an Aircraft while on duty, which they own, part own, or source from a commercial organisation in which they or their next of kin hold an interest.
- d. The owned Aircraft need not operate under an AOC. However, the following requirements apply:
- i. the Aircraft must have a valid CASA Standard Certificate of Airworthiness
  - ii. the Aircraft must have civil registration
  - iii. the Aircraft must comply with any other CASA requirements that may apply
  - iv. the Aircraft is not utilised for sports aviation activities that are not regulated under NDR.05(a).
- e. Additional Aircraft Captain risk control requirements include the need to:
- i. hold a current and appropriate civil aviation license



- ii. hold appropriate civil endorsements and ratings relevant to the Aircraft Type and operations to be conducted
  - iii. hold other CASA endorsements that may apply
  - iv. not carry passengers unless appropriate command authority is provided to do so.
- f. **Defence Personnel flying other NDRA.** Where Defence Personnel temporarily operate NDRA in the course of their duties (eg ACFS, exchange duties with a foreign MAA, type conversion flying, etc), Sponsors must comply with the NAA or MAA operating requirements, unless an alternative agreement is in place between Defence and the relevant NAA or MAA.

### **GM NDR.10(a) – Sponsor controls (AUS)**

- a. **Purpose: (Context)** Defence Personnel are recruited and trained to primarily operate in the DASR environment. However, in the course of their duties, Defence Personnel may also be required to operate NDRA on behalf of Defence. **(Hazard)** Suitability For Flight can be compromised when regulatory system applicability requirements are ambiguous, potentially invalidating NDRA certifications, or not meeting DASA Suitability for Flight expectations. **(Defence)** This regulation requires MAO-AMs and Sponsors of NDRA outcomes to ensure compliance with DASA recognised NAA or MAA regulatory requirements, and that that risks are eliminated or otherwise minimised SFARP.
  - b. The Sponsor responsible for DASR NDR.10(a) outcomes may impose additional limitations on Defence Personnel where it is deemed warranted to assure Suitability For Flight.
- (b) As an exception to DASR NDR.10(a), Defence Personnel that operate a chartered, dry, or short term leased NDRA may comply with DASR instead, providing that the applicable Aircraft is not flown outside of its civil-approved Configuration Role and Environment without the relevant NAA or MAA approval. This affords flexibility for Defence Personnel to utilise their existing qualifications without having to undertake additional training, and recognises that some Rules of the Air, as published by NDRA regulators, may not be complied with due to operational requirements.

## **DASR NDR.15 – Foreign military operations in Australia (AUS)**

▼ GM

### **GM NDR.15 – Foreign military operations in Australia (AUS)**

**Purpose: (Context)** Foreign military Aircraft often operate in Australian airspace as part of approved Defence exercises, capability trials, and other civil or military operations. Foreign personnel may therefore have limited familiarity with Australian airspace requirements and with the operation's implication on their NDRA Configuration, Role and operating Environment (CRE). **(Hazard)** Suitability For Flight can be compromised when Sponsors cannot ensure that the approved operation meets the expectations of the DASA. **(Defence)** This regulation requires Sponsors of foreign military NDRA outcomes to ensure that risks are eliminated or otherwise minimised SFARP.

- (a) The Sponsor who approves a foreign military Aircraft to operate within Australian airspace as part of Defence exercises, capability trials or under other sustained operations must ensure that the foreign Aircraft operation will not compromise Suitability For Flight. ▼ GM ▼ AMC

### **AMC NDR.15(a) – Managing approvals (AUS)**

- a. **Coordination.** Foreign military Flight operations within Australian airspace should be planned by the MAO or Sponsor of the activity in consultation with an Australian Defence aviation command or HQJOC.



- b. **Foreign Aircraft assessment requirements.** Sponsor risk controls for the assessment of foreign military operations in Australia should include:
- i. that the foreign military MAA is recognised by DASA for the scope of the operation required (DASA recognised MAA and NAA are listed on the DASA website)
  - ii. advising DASA of the intent to approve foreign military operations in Australia
  - iii. identification of the most recent DASA recognised NAA or MAA oversight activity
  - iv. Sponsor actions corresponding to the DASA recognised NAA or MAA oversight activity outcomes (or lack of DASA recognised NAA or MAA oversight activity)
  - v. supplementing DASA recognised NAA or MAA oversight where compelling reasons exist
  - vi. conducting a Suitability For Flight determination
  - vii. implementing additional safety controls to eliminate or otherwise minimise risk SFARP; and complementary contractual controls
  - viii. issuing an ATO
  - ix. maintaining a current ATO register, and providing DASA with a link to the register.
- c. The NDRA sponsor may defer, or be directed to defer, the ATO decision to DASA.
- d. **Operational restrictions.** Implementing operational restrictions is an acceptable control. For example, foreign fast jets might be based at RAAF Base Tindal and required to transit to and from the designated training area via routes constrained over sparsely populated areas where possible.
- e. If the MAA is not DASA recognised, the Sponsor should request a DASA recommendation that would consider evidence that the MAA has a system in place for type certification and Continuing Airworthiness management of the foreign military Aircraft and whether the system might provide the required assurances for the intended operations.

### **GM NDR.15(a) – Responsibilities for the approval of foreign military operations in Australia (AUS)**

- a. **Applicability.** This regulation applies to foreign military Aircraft that:
- i. use Australian airspace for military activity extending to 12 nm offshore, from surface level to above surface level
  - ii. operate as part of an exercise, including foreign Aircraft that will launch and recover outside of Australia airspace, but will conduct a military activity within Australian airspace. Such activity may include weapons release or simulated weapons release activities at an air weapons range, or air combat manoeuvres.
  - iii. conduct sustained operations within Australian airspace. An example of sustained operations is a foreign military that has established a permanent military flying training program within Australian airspace utilising foreign registered Aircraft, or civil registered Aircraft operated by foreign aircrew (eg a foreign military flying training school based within Australia).
- b. This regulation requires that an assessment of the Operational Airworthiness and (technical) Airworthiness systems be completed to provide the DASA confidence that foreign military Aircraft





are operated safely within Australian airspace. If the MAA is not DASA recognised, advice should be sought from DASA.

- c. Foreign militaries seeking to operate Aircraft in Australian airspace may also require additional clearances, separate to this regulation (ie diplomatic clearances). Diplomatic approvals for foreign military Aircraft are managed by the Diplomatic Clearance Cell within the Air and Space Operations Centre (Joint Operational Command), and involve other agencies such as the Department of Foreign Affairs and Trade.
  - d. **Suitability For Flight considerations.** The MAO or Sponsor should consider all elements of Suitability For Flight. For example, whether the foreign Aircraft will carry Defence Personnel as Passengers; or the loss of a foreign military Aircraft with respect to third parties. While not a Defence capability issue, such incidents will involve Defence for associated recovery operations, may cause harm to people and property, and may affect Defence's public image.
- (b) As an exception to DASR NDR.15(a), foreign military Aircraft are exempted where they:
- 1. operate as a Passenger transport or for air cargo Flight, transiting through Australian airspace (including stopovers without conducting military activities)
  - 2. are used as a static display for commercial interests and will not conduct military operations as part of their time within Australian airspace (eg Aircraft used by a visiting State dignitary that will remain parked until the State visit is completed, or a foreign military Aircraft used only as a static display Aircraft at an air show—unless the Aircraft was to conduct an air demonstration, where the regulation is not excepted).
- (c) The Sponsor who approves a foreign military Aircraft to operate within Australian airspace must suspend the foreign military Aircraft flight operation when there is concern that Suitability For Flight may be compromised. ▼ GM ▼ AMC

#### **AMC NDR.15(c) – When to suspend (AUS)**

- a. **Suspension of Flight operations.** Suspension of Flight operations should occur when Aircraft operations generate risk levels that are increased from the risk levels considered by the Sponsor during the original approval process, and the Sponsor believes Suitability For Flight may be compromised.
- b. **Cancelling suspension.** Procedures to reinstate Flight operations should follow the general guidance and procedures provided for Defence Registered Aircraft, noting that engagement with the MAA may also be required.

#### **GM NDR.15(c) – Suspension of foreign military operations in Australia (AUS)**

The authority suspending Flight operations should advise Service commands and DASA as soon as practicable.

