

## NOTICE OF PROPOSED AMENDMENT DASA 04/2016

### DEFENCE AVIATION SAFETY REGULATIONS (DASR) – UPDATED OPERATIONAL REGULATION RELEASE

#### Introduction

1. The term Notice of Proposed Amendment (NPA) is used by both the European Aviation Safety Authority (EASA) and the European Military Airworthiness Requirements (EMAR) and replaces the previous NPRM. NPA is the method of consultation utilised for DASR development in the Regulation Change Process (RCP).

#### Applicability

2. This proposal is applicable to all members of the Defence aviation community. NPA 04/2016 is issued by the Director Airworthiness Coordination and Policy Agency (DACPA) on behalf of the Defence Aviation Safety Authority (DASA).

#### Purpose

3. NPA 04/2016 continues the development of the DASR and provides an opportunity for the regulated community to comment and familiarise themselves with proposed new or amended regulations. Feedback from this NPA will be used to assist further additions and refinement activities, leading to a formal DASR release in Jan 17.

#### Background

4. **Crash Data Recorders.** Crash Data Recorder (CDR) policy and regulation is currently addressed via Airworthiness Directive (AD) 010/2010 – *Management of ADF CDR Deficiencies* and single service instructions. The term CDR is an ADF term that is not used by aircraft manufacturers or other National/Military Airworthiness Authorities (NAA/MAA). DASR ORO.85 adopts the global term ‘Flight Recorders’ which includes safety recording devices such as Cockpit Voice Recorders (CVR) and Flight Data Recorders (FDR). Emergency Locating Transmitter (ELT) is not part of Flight Recorders but rather locating equipment.

5. NPA 04/2016 incorporates feedback from NPA 02/2016 and NPA 03/2016 along with other Defence aviation community consultation. NPA 04/2016 publishes the operational regulations in an improved pdf format making the delineation between Reg, AMC and GM clearer while preparing for full transition to the Interactive Electronic Regulatory Manual (IERM) format.

#### NPA 04/2016 Content

6. **DASR ORO.85 – Flight Recorder and Locating Equipment.** This new regulation consolidates the safety aspects of Flight Recorders (FDR and CVR equipment) and Locating Equipment (ELT) into one regulation along with guidance material (GM) and acceptable means of compliance (AMC).

7. DASR ORO.85 refers to AAP 7001.054—*Electronic Airworthiness Design Requirements Manual (eADRM)* and AAP 6734.001—*Defence Aviation Safety Manual (DASM)*. Both manuals are currently under review to support DASR ORO.85. Contacts for detailed information on proposed eADRM and DASM amendments are:

- a. DASR ORO.85 – LTCOL Brad Warren (DDREGS ACPA)
- b. AAP 7001.054 – eADRM: Mr Stuart Donaldson (DDSRM DGTA)
- c. AAP 6734.001 – DASM: Mr Dave Hilton (SI-SPT1 DDAAFS)

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8. Aircraft not meeting Flight Recorder and Locating Equipment design requirements are to be managed IAW DASR 21—*Type Certification* and changes to type design. Waivers issued by Service Chiefs IAW AD 010/2010 prior to 30 Sep 16 will remain valid.
9. **DASR ARO.50 – Statement of Intent and Usage (SOIU).** DASR ARO.50 transitions MILAVREG 2.3 and OAREG 2.1.2a & 3.2b to DASR.
10. **DASR ARO.55 – Cessation of Flight.** DASR ARO.55 allows MAOs and/or operational commanders to temporarily cease flight operations due to an emergent risk. This regulation is different to suspension of flight operations which is a means for the Authority to suspend flight operations under DASR 21, DASR M and DASR ARO. This regulation transitions parts of MILAVREG 2.7 to DASR.
11. **DASR ARO.60 – Defence Register.** DASR ARO.60 transitions MILAVREG 2.1a to DASR. The associated GM and AMC incorporates MILAVREG 2.2.
12. **DASR ARO.80 – Independent Review.** DASR ARO.80 regulates both DASA and the regulated community for the execution and participation of independent reviews. This regulation transitions MILAVREG 1.9 to DASR.
13. **DASR AIS.15 – Aeronautical Information Services .**This regulation incorporates elements of TAREGs into DASR to ensure that Aeronautical Information Service Providers (AISP) have organisational, technical, safety and software controls in place to ensure a consistent product that will not compromise suitability for flight.
14. **Operational Regulation NPA 02/2016 and NPA 03/2016 Feedback.** Feedback from previous NPAs has resulted in changes within the following DASR parts:
  - a. **DASR.MED.** DASR.MED.10.A (Aviation Medical Certificate) has incorporated flexibility provision 3 into the regulation for non-pilot aircrew.
  - b. **DASR.ORO.** DASR.ORO.55.A (Aircraft Captaincy) requires an aircraft captain to be a pilot.
  - c. **DASR.NDR.** DASR.NDR.10.A, AMC (Pilot Controls for NDRA under CASA Oversight) now gives greater flexibility to ADF pilots whilst carrying passengers in non-defence registered aircraft.
  - d. **DASR.AIRCREW.** Minor changes have been made throughout DASR.AIRCREW AMC and GM.
  - e. **DASR.ARO.** DASR.ARO.100 (MAOC) has minor changes to AMC.

### Consultation and engagement

15. The Regulation Change Process promulgated in AAP 7001.048 Defence Aviation Safety Policy Manual requires that the regulated community is consulted prior to changes in regulation. The aim of this NPA is to promulgate background and details of the proposed changes in accordance with Step 9 of that process.

### Proposal

16. DASR can be viewed using the following link to the draft DASR electronic manual:

<http://www.defence.gov.au/DASP/Docs/Manuals/8000-011/DASRWeb/index.htm>

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### How to Submit Comments on this NPA.

17. Feedback on NPA 04/2016 may be submitted via email to [ACPA.Regulations@defence.gov.au](mailto:ACPA.Regulations@defence.gov.au) by 23 Sep 16. Air command units are requested to coordinate responses through HQAC A9 DDA.

**DL Flood**  
GPCAPT  
Director  
Airworthiness Coordination and Policy Agency

Tel: (02) 6128 7301