

How to use this guide

In this guide, certain words have been defined to avoid repetition and improve readability. The most important of these is the use of *you* in the second person to refer to the pilot in command or more simply as the pilot. Where we have referred to a pilot, this means any flight crew member who is not necessarily the pilot in command.


Where we do not define a word, consider its meaning to be that given in the Macquarie Dictionary or the regulations.

Regulations specify offence provisions that may apply solely or jointly to the pilot, a pilot, a person or an operator. Where a regulation states that the pilot in command and operator each contravene a regulation, this guide expresses the responsibility as being that of the pilot **and/or** the operator. A MOS provision associated with a regulation may provide more detail on who is responsible to do or not do certain things.

For improved understanding, the guide includes *Exceptions, Notes and Comments*.


Exceptions – certain regulations set out a principal legal requirement that in certain circumstances can be varied, or in some cases ignored. You must read these exceptions to understand the requirements fully.

Notes – these are included as they appear in the regulations.

 **Comments** – for certain regulations you will find additional comments to assist in explaining the requirement. This commentary is not intended to introduce any new requirement, but to provide a more detailed explanation. The comments are generally based on CASA's Advisory Circulars (AC) and Guidance Material (GM).

In addition, many defined terms are new so the reader must make reference to the dictionary. For example, authorised aeronautical information (AAI) has a more expansive meaning than the term Aeronautical Information Package (AIP) with which readers may be familiar.

The following terminology table has been created to improve readability:

Term	Meaning
aircraft	the term aircraft refers to fixed-wing and rotary-wing powered aircraft and balloons
approval/ approved	an approval provided in writing by CASA under Part 91.045  <i>For a foreign-registered aircraft operating in Australian territory, approval means that given under the laws of the state of the registry of the operator of the aircraft. Contact your closest CASA regional office for guidance on approvals. See the CASA website for regional office contact details.</i>
equipment	any reference to equipment being required, fitted, carried or accessible means equipment which is operative or serviceable
may	indicates an option in the context of the requirement
MOS	refers to the Part 91 MOS unless otherwise specified
must	indicates an obligation or necessity (i.e. a mandatory requirement)
operations manual	this guide only uses the term <i>operations manual</i> ; however the actual Part 91 regulations use the terms <i>operations manual</i> or <i>exposition</i> – the terms are synonymous
Part	unless otherwise specified refers to a part of the CASR
person	refers to a third person who is not a pilot or crew member (e.g. a passenger or support person)
a pilot	refers to any flight crew member (not necessarily the pilot in command)
the pilot	refers only to the pilot in command

Term	Meaning
qualified	<p>a qualification or authorisation issued under Part 61, Part 64, Part 65, Part 103 approved self-administering organisation (ASAO) or Part 131 pilot authorisation as it applies unless otherwise stated</p> <p>For a foreign-registered aircraft operating in Australian territory, qualified means a qualification attained, or authorisation under, the laws of the state of registry of the aircraft operator.</p>
radio	<p>as with other equipment required to be fitted or carried, a reference to radio or a radio communications system means one that is operative. Where a radio is required, the pilot must be qualified to use it (see 91.625)</p>
regulation/ regulations	<p>in general, this refers to the Australian civil aviation legislation</p> <p>specific reference is made to the Federal Aviation Authority (FAA) (United States), and European Aviation Safety Agency (EASA) (European) regulations where necessary</p> <p>Where Part 91 refers to international regulation it means the international regulations for preventing collisions at sea, 1972.</p>
Subpart	<p>unless otherwise specified refers to a Subpart of Part 91</p>
you	<p>refers only to the pilot in command</p>

What Part 91 covers

The Part 91 and associated MOS consolidates the general operating and flight rules for Australian aircraft. It replaces more than one hundred documents – such as regulations, orders, supporting instruments and exemptions.

Primarily, it retains the existing rules. However, there are a small number of new rules designed to enhance operational flexibility, enhance safety and increase compliance with International Civil Aviation Organization standards.

The following changes have been made to some old rules. The new rules:

- › restrict the simulation of certain in-flight emergencies and who can be onboard at the time
- › require cabin crew when carrying 20 or more passengers on non-air transport flights
- › introduce an approach ban in weather conditions consistently below landing minima at certain aerodromes
- › expand the requirement to preserve flight recordings and recorders for immediately reportable matters
- › provide greater discretion for the pilot to determine which portable electronic devices may be used by passengers without compromising safety
- › provide greater choice in how to apply certain rules, such as for the carriage of animals and firearms
- › relax oxygen requirements for non-air transport operations
- › permit the carriage of documents electronically.

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This version includes:

- › CASR Instrument CASA EX81/21 – Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2021 effective to 6 September 2022
- › MOS amendments effective to 6 August 2022.

If you are operating under other Parts of CASR as an operator, you should refer to the relevant landing pages on the CASA website for exemptions and directions under instruments that may apply to your operations.