

**Division 2**                      **Maintenance for which Holder of Certificate of Registration Responsible**

**Subdivision 1**                **Class A Aircraft**

**39**                      **Maintenance required by approved system of maintenance**

- (1) The holder of the certificate of registration for a class A aircraft must ensure that all maintenance required to be carried out on the aircraft (including any aircraft components from time to time included in or fitted to the aircraft) by the aircraft's approved system of maintenance is carried out when required by that system.

Penalty: 50 penalty units.

- (2) A person must not use a class A aircraft in an operation if there is not an approved system of maintenance for the aircraft that includes provision for the maintenance of all aircraft components from time to time included in, or fitted to, the aircraft.

Penalty: 50 penalty units.

*Note* A system of maintenance is approved under regulation 42M.

- (3) An offence against subregulation (1) or (2) is an offence of strict liability.

*Note* For *strict liability*, see section 6.1 of the *Criminal Code*.

**40**                      **Defective or inappropriate systems of maintenance**

If the approved system of maintenance for a class A aircraft is:

- (a) no longer appropriate; or
- (b) defective;

within 7 days of becoming aware of the inappropriate aspect or the defect, the holder of the certificate of registration for the aircraft must make a request under regulation 42P for CASA or an authorised person to approve changes to the system to ensure that it is appropriate and not defective.

Penalty: 25 penalty units.