



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX22/23

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed D.B. O'Hagan]

Danny O'Hagan
Manager, Legislative Drafting

27 February 2023

CASA EX22/23 — Airservices Australia (DME Longitudinal Separation Standards) Exemption 2023

1 Name

This instrument is *CASA EX22/23 — Airservices Australia (DME Longitudinal Separation Standards) Exemption 2023*.

2 Duration

This instrument:

- (a) commences on 1 March 2023; and
- (b) is repealed at the end of 28 February 2026.

3 Definitions

In this instrument:

AA means Airservices Australia, ARN 202210, in its capacity as an ATS provider under Part 172 of CASR.

air traffic service has the meaning defined in regulation 172.010 of CASR.

ATS means air traffic service.

ATS provider has the meaning defined in regulation 172.015 of CASR.

capable aircraft means an aircraft fitted with an area navigation system that uses GNSS as the primary navigation sensor and meets the requirements of the RNP specification(s) in the ICAO *Performance-based Navigation Manual* (Doc 9613), Volume II, Part C, 4th edition, 2013, as existing at the time this instrument commences.

DME means distance measuring equipment.

DME longitudinal separation standards means the requirements expressed by reference to DME in the following standards in Chapter 10 of the Manual of Standards:

- (a) Dep 8;
- (b) D4e;
- (c) D5;

- (d) D6;
- (e) D7;
- (f) D8a;
- (g) D8b;
- (h) D8c.

GNSS means global navigation satellite system.

Manual of Standards has the meaning defined in regulation 172.010 of CASR.

provider's operations manual has the meaning defined in regulation 172.010 of CASR.

4 Application

This instrument applies to AA in respect of its provision of ATS for longitudinal separation to capable aircraft based on distances calculated using GNSS equipment.

Note Longitudinal separation standards using GNSS as the primary navigation sensor are set out in the *Manual of Air Traffic Services*, which forms part of the AA provider's operations manual. Regulation 172.080 of CASR requires AA to comply with its provider's operations manual.

5 Exemption

AA is exempt from compliance with the following provisions:

- (a) subregulation 172.060(1) of CASR, to the extent that the subregulation, read with the Manual of Standards, requires AA's provider's operations manual to include a description of the processes and documentation used to present to staff the relevant standards, rules and procedures relating to the DME longitudinal separation standards;
- (b) subregulation 172.060(3) of CASR, to the extent that the subregulation requires AA's provider's operations manual to be updated to include the DME longitudinal separation standards;
- (c) subregulation 172.065(1) of CASR, to the extent that the subregulation requires the provision of ATS in accordance with the DME longitudinal separation standards;
- (d) regulation 172.080 of CASR, to the extent that the regulation, read with AA's provider's operations manual:
 - (i) requires ATS to be provided in accordance with the provisions of the provider's operations manual that incorporates the standards, rules and procedures mentioned in paragraph (a); and
 - (ii) requires the provision of ATS in accordance with the DME longitudinal separation standards.

Note 1 The mandatory content of a provider's operations manual is set out in subsection 2.1.2 of the Manual of Standards, for which paragraph 2.1.2.1(r) mentions Chapter 10 of the Manual of Standards.

Note 2 Regulation 172.060 of CASR requires an ATS provider to maintain a provider's operations manual that complies with the standards set out in the Manual of Standards.

Note 3 Subregulation 172.065(1) requires an ATS provider to ensure that any ATS it provides is provided in accordance with the standards set out in the Manual of Standards and the standards set out in Annex 11 to the Chicago Convention.

Note 4 Regulation 172.080 of CASR requires an ATS provider to ensure that any ATS it provides is provided in accordance with its provider's operations manual.