



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX38/22

I, ADRIAN PAUL SLOOTJES, Acting Branch Manager, Air Navigation, Airspace & Aerodromes, National Operations & Standards Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Adrian Slootjes]

Adrian Slootjes

Acting Branch Manager, Air Navigation, Airspace & Aerodromes
National Operations & Standards Division

20 April 2022

CASA EX38/22 – ARFFS Training Facilities (Training Grounds, Hot Fires, Tactical Positioning and Application of Extinguishing Agents – Airservices Australia) Exemption 2022

1 Name

This instrument is *CASA EX38/22 – ARFFS Training Facilities (Training Grounds, Hot Fires, Tactical Positioning and Application of Extinguishing Agents – Airservices Australia) Exemption 2022*.

2 Duration

This instrument:

- (a) commences on 20 April 2022; and
- (b) is repealed at the end of 19 April 2025.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **AA**, **aerodrome** and **ARFFS provider**.

In this instrument:

approved ARFFS training location means either of the following:

- (a) an aerodrome for which CASA, under regulation 139.965 of CASR, approves AA as the ARFFS provider;
- (b) an ARFFS training facility:
 - (i) that is not located at an aerodrome of the kind mentioned in paragraph (a); and
 - (ii) that AA, with CASA's prior written approval, uses for ARFFS training.

Note 1 At the time of making this instrument, instrument number CASA.139H.0007 Revision No: 1, *Approval – Aerodrome Rescue and Fire Fighting Service (ARFFS) Provider*

approves AA as an ARFFS provider for the aerodromes mentioned in Schedule 1 to that instrument until the end of 30 June 2024 (unless that instrument is varied, suspended, revoked or cancelled).

Note 2 Examples of when AA may alternate between using, for ARFFS training, 2 aerodromes mentioned in paragraph (a), an aerodrome mentioned in paragraph (a) and an ARFFS training facility mentioned in paragraph (b), or 2 ARFFS training facilities mentioned in paragraph (b) include, but are not necessarily limited to, the following:

- (a) if a particular aerodrome for which AA is the approved ARFFS provider becomes unserviceable for ARFFS training;
- (b) if a particular ARFFS training facility becomes unserviceable for ARFFS training;
- (c) if AA builds a regional ARFFS training facility that is approved by CASA to be used for that purpose.

ARFFS has the meaning given by subregulation 139.705 (1) of CASR.

Manual of Standards has the meaning given by subregulation 139.705 (1) of CASR.

registered training organisation has the meaning given by the *National Vocational Education and Training Regulator Act 2011*.

4 Application

This instrument applies to AA, ARN 202210, in its capacity as:

- (a) a registered training organisation; and
- (b) the ARFFS provider approved for an aerodrome by CASA under regulation 139.965 of CASR; and
- (c) a person approved by CASA, in writing, to provide ARFFS training at an ARFFS training facility of the kind mentioned in paragraph (b) of the definition of **approved ARFFS training location**.

Note At the time of making this instrument, AA is listed as a registered training organisation on the National Register — see <http://training.gov.au/Organisation/Details/5168> or search for “Airservices Australia” using the “Quick Search” facility available at <http://training.gov.au/home/tga>. For the definitions of **National Register** and **registered training organisation**, see section 3 of the *National Vocational Education and Training Regulator Act 2011*.

5 Exemption

- (1) AA is exempt from compliance with paragraph 139.772 (1) (d) and subregulation 139.772 (2) of CASR, to the extent that those provisions require AA to provide the following training facilities mentioned in subparagraph 22.1.6.1 (a) of the Manual of Standards:

- (a) a training ground that can support fire vehicles;
- (b) adequate training facilities to allow hot fires, tactical positioning and application of extinguishing agents.

Note Chapter 22 of the Manual of Standards relates to ARFFS Facilities. Paragraph 22.1.6.1 of the Manual of Standards lists training facilities that must be provided for ARFFS. Those training facilities include, at subparagraph 22.1.6.1 (a), the training facilities mentioned in paragraphs 5 (1) (a) and (b).

- (2) The exemption in subsection (1) is subject to the conditions mentioned in section 6.

6 Conditions

- (1) If AA does not provide a training ground that can support fire vehicles at a particular approved ARFFS training location, AA must:
 - (a) provide a training ground of that kind at an aerodrome mentioned in paragraph (a) of the definition of ***approved ARFFS training location***; or
 - (b) ensure that a training ground of that kind is provided at an ARFFS training facility mentioned in paragraph (b) of the definition of ***approved ARFFS training location***.
 - (2) If AA does not provide adequate training facilities to allow hot fires, tactical positioning and application of extinguishing agents at a particular approved ARFFS training location, AA must:
 - (a) provide adequate training facilities of that kind at an aerodrome mentioned in paragraph (a) of the definition of ***approved ARFFS training location***; or
 - (b) ensure that adequate training facilities of that kind are provided at an ARFFS training facility mentioned in paragraph (b) of the definition of ***approved ARFFS training location***.
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