



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX17/12

I, JOHN FRANCIS McCORMICK, on behalf of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)*.

[Signed John F. McCormick]

John F. McCormick
 Director of Aviation Safety

28 February 2012

Exemption — from provisions in Part 173 of CASR 1998

1 Application

This instrument applies to Naverus Inc. (*Naverus*).

2 Exemption

Naverus is exempt from compliance with each of the provisions in Part 173 of CASR 1998 mentioned in Schedule 1 to the extent mentioned for each of the provisions.

3 Conditions

The exemption is subject to the conditions mentioned in Schedule 2.

4 Expiry

This instrument stops having effect at the end of 31 January 2015.

Schedule 1 Provisions of CASR 1998 and extent of exemption

Item	Provision	Extent
1	Regulation 173.010	the requirements in the definition of <i>type of terminal instrument flight procedure</i> that the terminal instrument flight procedure (<i>TIFP</i>) be mentioned in the Manual of Standards Part 173 (the <i>MOS</i>)
2	Regulation 173.050	all
3	Regulation 173.075	the requirements in paragraphs 2.1.1.1 (m) and (r) of the <i>MOS</i>
4	Regulation 173.085	the requirements in the following provisions of the <i>MOS</i> : (a) Chapter 1; (b) Chapter 8 but excluding paragraphs 8.1.1.3,

Item	Provision	Extent
		8.1.1.4, 8.1.1.5 and 8.1.1.6; (c) Chapter 9
5	Subparagraph 173.090 (4) (b) (i)	all
6	Regulation 173.095	the requirements in the following provisions of the MOS: (a) paragraph 6.1.1; (b) paragraph 6.1.2.3, to the extent of the references to publication
7	Regulation 173.100	including the requirements in paragraph 6.1.3 of the MOS
8	Subparagraph 173.125 (b) (ii), other than the reference to the designer's operations manual	including the requirements in the following provisions of the MOS: (a) paragraph 3.1.2.1 (c); (b) paragraph 3.1.2.2 (b); (c) paragraph 3.1.3.1 (a)
9	Regulation 173.130	the requirements in paragraph 3.1.3.1 (a) of the MOS
10	Subregulation 173.145 (2)	the reference to ICAO in paragraph 5.1.2.3 (c) of the MOS
11	Subregulations 173.150 (1) and 173.155 (1)	the requirements in paragraph 4.1.1 of the MOS
12	Subregulation 173.165 (2)	the requirements in paragraph 3.1.2.1 (c) of the MOS

Schedule 2 Conditions

- 1 Naverus may design a TIFP:
 - (a) for use by an Australian aircraft operating under the I.F.R.; or
 - (b) for use by a foreign aircraft operating under the I.F.R. in Australian territory; only in accordance with:
 - (c) this instrument; and
 - (d) the Naverus procedure design certificate (*PDC*); and
 - (e) the Naverus operations manual.

Note Under regulation 173.375 of CASR 1998, CASA may give directions requiring Naverus to include, or alter, information in the operations manual.
- 2 Naverus may only design a TIFP known as an Area Navigation (Required Navigation Performance — Authorisation Required) (an *RNAV (RNP AR)*).
- 3 Naverus may only design an RNAV (RNP AR) in accordance with the Naverus design criteria that are contained in:
 - (a) *Naverus Design Criteria Manual, Vol. A4A, Issue 4*, as amended from time to time; or

- (b) *Volume A4B.02, Issue 5, Design Criteria Manual Regulatory Supplement*, containing the Multi-Variant Design Specification, as amended from time to time.
- 4 Naverus must obtain the written approval of CASA before amending the documents referred to in paragraph 3 (a) or (b), unless the amendments are only of an editorial or clerical nature and do not affect technical or procedural matters.
- 5 Naverus must:
 - (a) ensure that the design work is carried out by its employees in accordance with its operations manual; and
 - (b) clearly mark each design with the words “FOR CASA-APPROVED OPERATORS ONLY”.
- 6 Except to the extent of the exemptions in this instrument, Naverus must comply with all relevant provisions of:
 - (a) Part 173 of CASR 1998; and
 - (b) the MOS.
- 7 The Naverus operations manual must include a description of the processes and documents used to present to staff the relevant standards, rules, procedures and drafting conventions contained in:
 - (a) the Naverus design criteria; and
 - (b) the applicable provisions of the MOS.
- 8 Naverus procedures for verifying an RNAV (RNP AR) must include requirements that verification may only be carried out by employees who have successfully completed an approved course of training in the Naverus design criteria.
- 9 Naverus must provide the document Volume C3B.02, Operational Guidance for GE Aviation RNP AR Procedures to all operators approved to fly TIFP designed by Naverus in accordance with this exemption.
- 10 Naverus must ensure that:
 - (a) it gives CASA:
 - (i) a copy of each RNAV (RNP AR) designed under the PDC not less than 28 days (or such shorter period acceptable to CASA) before it is used by anyone; and
 - (ii) with the copy — a certificate by the chief designer certifying that the RNAV (RNP AR) is designed and validated in accordance with the Naverus design criteria, the applicable provisions of the MOS and the relevant provisions of this instrument; and
 - (b) each employee who carries out design work under the PDC is trained and qualified in the Naverus design criteria in accordance with:
 - (i) the applicable provisions of the MOS; and
 - (ii) the Naverus operations manual; and
 - (c) each employee who carries out supervisory duties for design work under the PDC is trained and qualified in the Naverus design criteria in accordance with:
 - (i) the applicable provisions of the MOS; and
 - (ii) the Naverus operations manual; and
 - (d) before appointment, the chief designer and the acting chief designer are trained and qualified in the Naverus design criteria in accordance with:
 - (i) the applicable provisions of the MOS; and
 - (ii) the Naverus operations manual.

- 11 The operations manual must contain copies, or the exact and accessible location of copies, of:
 - (a) the Naverus design criteria; and
 - (b) this instrument; and
 - (c) any directions given by CASA.
 - 12 The Naverus safety management system must include the safety situation that applies to compliance with the safety standards in the Naverus design criteria.
 - 13 The documents and reference material for an RNAV (RNP AR) must include the Naverus design criteria and other relevant material directed by CASA.
 - 14 Naverus may transfer its responsibility for maintaining an RNAV (RNP AR) only with the written approval of CASA.
 - 15 Naverus must permit an authorised inspector to exercise his or her powers under Division 173.E.5 of CASR 1998.
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