



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 05/16

I, JONATHAN ALECK, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under the following:

- 1 subparagraph 9B.12 (a) of Civil Aviation Order (*CAO*) 20.18;
- 2 paragraph 8 (a) in Appendix 3 of CAO 82.1;
- 3 paragraph 8 (a) in Appendix 6 of CAO 82.3;
- 4 paragraph 8 (a) in Appendix 4 of CAO 82.5;
- 5 paragraph 8 (a) in Schedule 1 of CASA 61/14, Direction — use of ADS-B in foreign aircraft engaged in private operations CAO 82.1.

[Signed Jonathan Aleck]

Jonathan Aleck
Acting Director of Aviation Safety

12 January 2016

Authorisation — aircraft operating without ADS-B transmitting equipment

1 Revocation

Instrument CASA 162/15 is revoked.

2 Definitions

In this instrument:

AA means Airservices Australia.

ADS-B means automatic dependent surveillance – broadcast.

AOC means an air operator's certificate issued by CASA.

FL means flight level.

Oceanic Control Area means the airspace depicted on an En Route Chart — High, an En Route Chart — Low, or a Terminal Area Chart.

operator means 1 of the following:

- (a) the operator of an Australian registered aircraft;
- (b) an operator who holds a foreign registered aircraft AOC for charter operations or aerial work operations;
- (c) an operator who holds a foreign registered aircraft AOC for RPT operations in other than high capacity aircraft;
- (d) an operator who holds a foreign registered aircraft AOC for RPT operations in high capacity aircraft;
- (e) the operator of a foreign registered aircraft engaged in private operations flying into or out of Australian territory, or operating in Australian territory.

RPT means regular public transport.

SSR means secondary surveillance radar.

3 Application

This instrument applies only to the operator of an aircraft that is equipped with an SSR transponder and flown:

- (a) at or above FL290, in airspace that:
 - (i) has SSR surveillance by AA; or
 - (ii) is an Oceanic Control Area; or
- (b) in airspace that:
 - (i) has SSR surveillance by AA; and
 - (ii) is Class A, B, C or E; and
 - (iii) is within the arc of a circle that starts 500 NM true north from Perth aerodrome, and finishes 500NM true east from Perth aerodrome.

Note The airspace described in paragraph (b) is referred to in a Note below as “the Perth quadrant”.

4 Authorisation

I authorise the operator of an aircraft to whom this instrument applies, to operate the aircraft without ADS-B transmitting equipment.

5 Conditions

The authorisation in section 4 is subject to the following conditions:

- (a) the operator must have a flight plan for the operation as if this authorisation had not been given; and
- (b) the operation may proceed under this authorisation only if the pilot of the aircraft is given clearance for the flight by ATC.

Note This authorisation instrument does not mean that appropriate ATC clearance is automatic or guaranteed. ATC makes clearance decisions subject to prevailing air traffic and operational conditions at the time of the flight. Without ATC clearance, an aircraft which is not carrying ADS-B transmitting equipment must remain below FL290 and not fly in the Perth quadrant. It is essential, therefore, that operators plan for the operation as if this authorisation instrument had not been issued, and as if the regulatory obligation to carry ADS-B transmitting equipment continued to apply.

6 Expiry

This instrument expires at the end of 1 February 2017, as if it had been revoked by another instrument.
