I, SHANE PATRICK CARMODY, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under subparagraph 9B.12 (a) of Civil Aviation Order (CAO) 20.18.

[Signed S. Carmody]
Shane Carmody
Acting Director of Aviation Safety
22 November 2016

Authorisation — Australian registered aircraft operating without ADS-B transmitting equipment

1 Duration
This instrument:
(a) commences at the start of 2 February 2017; and
(b) is repealed at the end of 1 January 2020.

2 Definitions
In this instrument:
ADS-B means automatic dependent surveillance – broadcast.
ATC means Air Traffic Control.
CTA means a control area being airspace above a CTR.
CTR means a control zone, being airspace below a CTA.
IFR means instrument flight rules.
MSL means mean sea level.
SSR means a secondary surveillance transponder.

3 Application
This instrument applies to the operator of an Australian registered aircraft (the operator) when engaged in private operations in any of the following airspace:
(a) Class C CTA steps, but not Class C CTR;
(b) Class D CTR and Class D CTA steps;
(c) Class E CTA steps;
(d) Class G.

Note The authorisation has no application in Class A airspace.
4 **Authorisations**

I authorise the operator to operate an Australian registered aircraft (the *aircraft*) under the IFR without ADS-B transmitting equipment.

5 **Conditions**

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

(a) the aircraft must be one that was manufactured before 6 February 2014;
(b) the aircraft must be operated below 10 000 feet above MSL;
(c) any operation by the aircraft in Class C or Class E airspace is restricted to arrival at, or departure from, a Class D aerodrome;
(d) for any operation in Class C or Class E airspace, the aircraft must be fitted with an SSR transponder;
(e) for any operation in Class C, D or E airspace, the pilot of the aircraft must have been given clearance for the flight by ATC;
(f) the flight plan for the operation must include the following details at item 18 of the plan: RMK/NIL ADSB AUTH.

*Note* This authorisation instrument does not mean that appropriate ATC clearance to enter Class C, D or E airspace is automatic or guaranteed. ATC makes clearance decisions subject to prevailing air traffic and operational conditions at the time of the flight.