



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX119/19

I, WARREN CRAIG MARTIN, Acting Executive Manager, Regulatory Services & Surveillance, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*, subregulation 209 (1) of the *Civil Aviation Regulations 1988*, and paragraph 8 (a) of Schedule 1 to instrument number CASA 61/14.

[Signed C. Martin]

Craig Martin

Acting Executive Manager, Regulatory Services & Surveillance

30 October 2019

CASA EX119/19 — High Altitude Balloon Flights (French National Space Agency) Instrument 2019

1 Name

This instrument is *CASA EX119/19 — High Altitude Balloon Flights (French National Space Agency) Instrument 2019*.

2 Definitions

In this instrument:

ADS-B means automatic dependent surveillance – broadcast.

approved equipment configuration has the meaning given by clause 1 of Schedule 1 to instrument number CASA 61/14.

Note Instrument number CASA 61/14 is titled “Direction — use of ADS-B in foreign aircraft engaged in private operations”.

CNES means the Centre National d’Etudes Spatiales (the French National Space Agency).

flight control team means:

- (a) the personnel of CNES responsible for the operation of balloons for the Strateole-2 project; and
- (b) Lanigan Pty Ltd, ARN 1075103, and its employees.

Mode S has the meaning given by clause 1 of Schedule 1 to instrument number CASA 61/14.

Strateole-2 project means the project of CNES:

- (a) aimed at improving knowledge of the evolution of the Earth’s climate by achieving a better understanding of phenomena that occur in the atmosphere, near 18 000 m altitude at equatorial latitudes; and
- (b) involving the operation of a series of balloons to be launched in Seychelles Islands by CNES.

3 Exemption

- (1) CNES is exempt from compliance with regulation 101.205 of CASR in relation to the operation of a balloon for the Strateole-2 project.
- (2) The exemption is subject to the condition mentioned in section 4.

4 Condition on exemption — agreement with AA

CNES, through its representative Lanigan Pty Ltd, must have concluded a letter of agreement with AA, that covers communications between the flight control team and AA in relation to the Strateole-2 project, before CNES first operates a balloon for the project.

5 Direction

For the purposes of subregulation 209 (1) of CAR, CNES must comply with the following conditions in relation to its operation of a balloon for the Strateole-2 project:

- (a) the balloon must carry serviceable ADS-B transmitting equipment that complies with an approved equipment configuration;
- (b) either:
 - (i) the ADS-B equipment carried on the balloon is Mode S capable; or
 - (ii) the balloon also carries Mode S transponder equipment;
- (c) the ADS-B equipment and Mode S transponder equipment carried on the balloon must be operated continuously:
 - (i) from the launch of the balloon for a flight until it enters 60 000 feet pressure altitude; and
 - (ii) when it leaves 60 000 feet pressure altitude until it lands.

Note 1 Section 6 gives an authorisation for the operation of the balloon at or above 60 000 feet pressure altitude without the ADS-B transmitting equipment.

Note 2 Clause 7 of Schedule 1 to instrument number CASA 61/14, which requires an aircraft to carry serviceable ADS-B equipment that complies with an approved equipment configuration, applies to the flight only to the extent that it is at or above flight level 290 (defined in subregulation 2 (1) of CAR).

6 Authorisation

For the purposes of paragraph 8 (a) of Schedule 1 to instrument number CASA 61/14, CNES is authorised to operate a balloon for the Strateole-2 project at or above 60 000 feet pressure altitude without operating the equipment mentioned in paragraphs (5) (a) and (b).

7 Repeal

This instrument is repealed at the end of 30 September 2022.
