



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX67/25

I, JOSEPH ANTHONY RULE, Acting Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed J. Rule]

Joe Rule

Acting Executive Manager, National Operations & Standards

18 July 2025

CASA EX67/25 — Airborne Collision Avoidance System (Falcon Air Operation Pty Ltd) Exemption 2025

1 Name

This instrument is *CASA EX67/25 — Airborne Collision Avoidance System (Falcon Air Operation Pty Ltd) Exemption 2025*.

2 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988*, the regulations and the Part 121 Manual of Standards. These include: *ACAS*, *AGL*, *estimated time of use*, *night*, *Part 121 Manual of Standards* and *Part 121 operation*.

In this instrument:

relevant aeroplane means Mystere – Falcon 900 aeroplane, registration VH-CAD.

Falcon Air means Falcon Air Operation Pty Ltd, ARN 806299.

3 Application

This instrument applies when Falcon Air is operating the relevant aeroplane to conduct a Part 121 operation as follows:

- (a) one flight from Niue (ICAO code NIUE) to Tahiti (ICAO code NTAA);
- (b) one flight from Tahiti to Easter Island (ICAO code SCIP);
- (c) one flight from Easter Island to Tahiti;
- (d) any additional flight necessary to recover the aircraft to these destinations in the event of an unplanned diversion to an alternate aerodrome during these flights.

4 Exemptions

- (1) Falcon Air is exempt from compliance with subregulation 121.460(2) of CASR, to the extent that:
 - (a) the requirements stated in section 11.06 of the Part 121 Manual of Standards are not met in relation to the ACAS fitted to the aeroplane; and
 - (b) the requirements stated in section 11.22 and paragraph 11.23(1)(a) of the Part 121 Manual of Standards are not met in relation to the aeroplane.
- (2) The pilot in command of the relevant aeroplane is exempt from compliance with subregulation 121.460(2) of CASR, to the extent that the requirements stated in section 11.22 of the Part 121 Manual of Standards are not met in relation to the aeroplane.

Note Section 11.06 of the Part 121 Manual of Standards relates to serviceability of equipment fitted to an aeroplane. Section 11.22 and 11.23 of the Part 121 Manual of Standards relate to the use and serviceability of the ACAS fitted to an aeroplane.

- (3) The exemptions in this section are subject to compliance with the conditions mentioned in section 5.

5 Conditions

- (1) Falcon Air must ensure that:
 - (a) the operations are not conducted at night; and
 - (b) all flights are planned to land at least 30 minutes before the end of evening civil twilight.
- (2) Falcon Air and the pilot in command must ensure that weather conditions for the relevant planned destination aerodrome at the estimated time of use of that aerodrome, as forecast at or before the flight takes off from the relevant departure aerodrome, are forecast to have:
 - (a) no cloud below the higher of the following:
 - (i) 2 500 feet AGL of the destination aerodrome;
 - (ii) the altitude for the final approach fix for the instrument approach procedure planned to be flown at the aerodrome; and
 - (b) a minimum visibility of more than 5 000 m.
- (3) The pilot in command must be the pilot flying at all times during the conduct of the following:
 - (a) any instrument approach procedure;
 - (b) any visual approach below the applicable lowest safe altitude relevant to the approach;
 - (c) any landing.
- (4) Falcon Air must ensure that the flight crew members for the flight comply with subsection (3).
- (5) Falcon Air and the pilot in command must ensure that the ACAS fitted to the aeroplane is operated in accordance with section 11.22 of the Part 121 Manual of Standards, except for any operating limitations associated with the radio altimeter being inoperative.

6 Repeal

This instrument is repealed at the end of 1 August 2025.