Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX124/23

I, JONATHAN ALECK, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Jonathan Aleck]
Jonathan Aleck
Acting Director of Aviation Safety

22 December 2023

CASA EX124/23 – Machjet International – Parts 135 and 138 Factoring for Landing – Exemption Instrument 2023

1 Name

This instrument is *CASA EX124/23 – Machjet International – Parts 135 and 138 Factoring for Landing – Exemption Instrument 2023*.

2 Duration

This instrument:

(a) commences on 22 December 2023; and

(b) is repealed at the end of 30 November 2025.

3 Application

(1) This instrument applies to the operator for a relevant operation in a relevant aeroplane.

(2) This instrument applies to the pilot in command of a relevant aeroplane in a relevant operation for the operator.

4 Definitions

(1) In this instrument:

aerial work operation has the meaning given by the CASR Dictionary.

Australian air transport operation has the meaning given by the CASR Dictionary.

CASR means the *Civil Aviation Safety Regulations 1998*.

gust means a sudden increase in wind velocity that is:

(a) more than 10 knots above the average wind velocity; and

(b) sustained for more than 10 seconds.

IAS means indicated air speed.

just culture principles means that if a flight crew member in a relevant aeroplane in a relevant operation makes a report to the operator for the purposes of clause 18 in Schedule 1, no punitive action may be taken against the flight

crew member, in accordance with the principles of protection and the principles of exception set out in Appendix 1A of Civil Aviation Order 82.5 as in force immediately before 2 December 2021, as if Appendix 1A were still in force, and as if it applied, with necessary adjustments made, to the operator.

LAHSO means a land and hold short operation.

landing distance available has the meaning given in section 1.04 of the Part 121 MOS.

landing distance required means the distance required for an aeroplane to land in order to satisfy the requirements of sections 9.10, 9.11 and 9.13 of the Part 121 MOS, as applicable.

landing 50-foot point speed means the speed of an aeroplane, with landing flaps and landing gear extended, that is:

(a) 1.3 times the stalling speed of the aeroplane; or

(b) the minimum steady flight speed of the aeroplane in the landing configuration.

operator means Machjet International Pty Ltd, ARN 769207.

Part 121 MOS means the *Part 121 (Australian Air Transport Operations—Larger Aeroplanes) Manual of Standards 2020*.

Part 135 MOS means the *Part 135 (Australian Air Transport Operations—Smaller Aeroplanes) Manual of Standards 2020*.

Part 138 MOS means the *Part 138 (Aerial Work Operations) Manual of Standards 2020*.

pilot in command means the pilot in command of a relevant aeroplane in a relevant operation.

relevant aeroplane means each of the following aeroplanes:

(a) Cessna 525 (CJ);

(b) Cessna 525A (CJ2).

but only to the extent to which the aeroplane:

(c) is permitted to be operated by the operator under its Australian air transport AOC or its aerial work certificate (as applicable); and

(d) has a MTOW not greater than 5 700 kg.

relevant operation means 1 of the following, conducted in Australian territory:

(a) an Australian air transport operation;

(b) an aerial work operation.

touch-down-no-later-than point means the point at which, if the aeroplane touchdown has not occurred, the pilot in command must conduct a go-around.

VREF is short for reference landing approach speed, and is the airspeed equal to the landing 50-foot point speed.

(2) Unless the contrary intention appears, words and phrases in this instrument have the same meaning as in Parts 135 and 138 of CASR and the Part 121 MOS.

5 Exemptions — Part 135 landing performance

For a relevant operation, the operator and the pilot in command of a relevant aeroplane are each exempted from compliance with regulation 135.350, but:

(a) only in relation to paragraph 135.350(2)(d) (safety factor percentages for landing performance); and

(b) only to the extent of the following:

(i) for the operator and the pilot in command — section 10.17 of the Part 135 MOS, but only insofar as it applies to paragraph 9.10(2)(a) of the Part 121 MOS;

(ii) for the pilot in command — section 10.17 of the Part 135 MOS, but only insofar as it applies to paragraph 9.13(5)(a) of the Part 121 MOS in relation to subsections 9.13(6) and (7) of the Part 121 MOS.

6 Exemptions — Part 138 landing performance

Without affecting subregulation 138.440(1), for a relevant operation, the operator and the pilot in command of a relevant aeroplane are each exempted from compliance with regulation 138.440, but:

(a) only in relation to paragraph 138.440(3)(d) (safety factor percentages for landing performance); and

(b) only to the extent of the following:

(i) for the operator and the pilot in command — section 18.02 of the Part 138 MOS, but only insofar as it applies to paragraph 9.10(2)(a) of the Part 121 MOS;

(ii) for the pilot in command — section 18.02 of the Part 138 MOS, but only insofar as it applies to paragraph 9.13(5)(a) of the Part 121 MOS in relation to subsections 9.13(6) and (7) of the Part 121 MOS.

7 Conditions

Each exemption under sections 5 and 6 is subject to the condition that for a relevant aeroplane in a relevant operation:

(a) the operator must ensure that each requirement mentioned in Schedule 1 is complied with; and

(b) the pilot in command must comply with each operational requirement mentioned in Schedule 1.

Schedule 1 Conditions

RRLDO Supplement

1 An operation which takes the benefit of this exemption instrument must be conducted in accordance with the Machjet International Company Operations Manual Reduced Required Landing Distance Operations Supplement – AIR TRANSPORT AND AERIAL WORK Version 2.0, 22 December 2023 (the ***RRLDO Supplement***).

2 The operator must not make any change to the relevant RRLDO Supplement after the date of this instrument unless the change is to correct an obvious editorial error that merely has an editorial, and in no sense substantive, effect.

Note For any other desired change, the operator would need, and must apply for, a new exemption instrument.

Applicable aerodromes

3 The exemption instrument may only be used for landing at an aerodrome:

(a) for which:

(i) the aerodrome information is published in AIP ERSA RDS; or

(ii) the operator's exposition, as approved by CASA, satisfies the requirements of regulations 121.205 and 121.210 of CASR as if each of those provisions applied to the relevant operation, and

(b) for which the operator's exposition, as approved by CASA, contains specific, aerodrome information relevant to Reduced Required Landing Distance Operations, including any local terrain or visual characteristics that could increase the likelihood of a long-landing

Note See, for example, EASA CAT.POL.A.250 Approval of Short Landing Operations, which advises that the slope of the declared safe area of a runway should not exceed 5% upward nor 2% downward in the direction of landing, and which provides criteria for reducing potential for visual illusion.

Destination runways

4 The destination runway must be DRY, under the flight plan and in actuality.

5 There must be no tailwind at the destination runway, under the flight plan, or below 1 000 ft on the actual approach.

6 There must be no crosswind in excess of 15 knots at the destination runway, under the flight plan and in actuality.

7 On actual approach to the destination runway, there must be no significant turbulence in the vicinity.

8 There must be no forecast, or actual, weather conditions that could produce windshear during the approach to the destination runway.

9 The approach to the destination runway must be discontinued at any point below 300 ft AGL where the approach exceeds stable parameters.

10 The approach to the destination runway must be discontinued if the relevant aeroplane's threshold crossing height is greater than 50 ft above the threshold.

11 The approach to the destination runway must be discontinued if the relevant aeroplane is beyond the threshold crossing with IAS greater than VREF +5 knots.

Note The aircraft fight manual or the operator's exposition may have already adjusted the IAS by ½ gust above 5 knots.

12 The approach to the destination runway must be discontinued if touchdown has not occurred within the designated touchdown zone (touchdown no-later-than-point).

Destination alternates

13 The exemption instrument must not be used for any destination alternate aerodrome.

14 A destination alternate aerodrome must be planned for each destination aerodrome regardless of:

(a) clause 3; or

(b) any other alleviations to alternate aerodrome requirements.

No LAHSO

15 The exemption instrument must not be used for any operation involving a LAHSO.

Two pilots are required

16 The operator must ensure that a relevant operation must be conducted with at least 2 pilots each of whom satisfies the relevant crew experience requirements contained in the RRLDO Supplement.

LDR ≤ 70% of LDA

17 The landing distance required (***LDR***) to bring a relevant aeroplane to a stop on the runway planned to be used at the destination aerodrome must not be greater than 70% of the landing distance available (***LDA***) for the runway.

Note Without the benefit of the exemption instrument, the LDR must not be greater than 60% of the LDA.

Reporting on, and addressing, non-conformance

18 The operator's exposition must include the procedures under which instances of landing performance non-conformance with the requirements of this instrument and the applicable civil aviation legislation are:

(a) reported to the operator, and addressed in accordance with just culture principles; and

(b) reported to CASA, in de-identified form, on 30 April 2024, and not later than quarterly thereafter.