



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX61/24

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations and Standards, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Campbell]

Steven Campbell

Executive Manager, National Operations and Standards

4 October 2024

CASA EX61/24 – Shortstop Jet Charter Pty Ltd – Airborne Weather Radar Equipment – Exemption Instrument 2024

1 Name

This instrument is *CASA EX61/24 – Shortstop Jet Charter Pty Ltd) – Airborne Weather Radar Equipment – Exemption Instrument 2024*.

2 Duration

- (1) This instrument:
 - (a) commences on 4 October 2024; and
 - (b) is repealed at the end of 3 October 2027.
- (2) To avoid doubt, each direction in this instrument ceases to be in force at the end of 3 October 2027.

3 Definitions

- (1) In this instrument:
 - authorised weather forecast* has the meaning given by the CASR Dictionary.
 - authorised weather report* has the meaning given by the CASR Dictionary.
 - BOM* means the Australian Bureau of Meteorology.
 - CAR* means the *Civil Aviation Regulations 1988*.
 - CASR* means the *Civil Aviation Safety Regulations 1998*.
 - EFB*, being short for electronic flight bag, and has the same meaning as in AC 91-17.
 - Part 91 Manual of Standards* means the *Part 91 (General Operating and Flight Rules) Manual of Standards 2020*.
 - Part 121 Manual of Standards* means the *Part 121 (Australian Air Transport Operations—Larger Aeroplanes) Manual of Standards 2020*.

potentially hazardous weather conditions means such potential weather conditions as can be detected by airborne weather radar equipment, if one were fitted.

relevant aeroplane means the DC-3C R-1830 aeroplane, registration mark VH-OVM, in an operation to which this instrument applies.

Shortstop means Shortstop Jet Charter Pty Ltd, ARN 415308.

VMC, being short for visual meteorological conditions, has the meaning given by the CASR Dictionary.

- (2) Unless the contrary intention appears, words and phrases in this instrument have the same meaning as in or under Part 121 of CASR.

4 Application

This instrument applies, according to its terms, to Shortstop, and the pilot in command, in relation to the operation of the relevant aeroplane in a Part 121 operation.

Note The term ***Part 121 operation*** is defined in the CASR Dictionary.

5 Exemption — fitment of airborne weather radar equipment

Shortstop, and the pilot in command of the relevant aeroplane, are each exempt from compliance with subregulation 121.460(2) of CASR, but only to the extent of the requirement under section 11.26 of the Part 121 Manual of Standards.

Note Section 11.26 of the Part 121 Manual of Standards requires the fitment of airborne weather radar equipment.

6 Exemption — conditions

- (1) The exemption under section 5 is subject to compliance with the conditions set out in this section.
- (2) The pilot in command of the relevant aeroplane must ensure that the aeroplane carries a serviceable EFB that:
 - (a) has an aeroplane power supply; and
 - (b) is both:
 - (i) available on the flight deck for the flight crew members; and
 - (ii) operated in accordance with the EFB procedures in the Shortstop exposition, as in force from time to time; and
 - (c) is capable of receiving data while airborne at the normal altitudes and routes in and along which the relevant aeroplane operates; and
 - (d) can display either the live, or the most recent, BOM ground-based weather radar information.
- (3) Before take-off, the pilot in command must:
 - (a) conduct a preflight check of the operation of the EFB; and
 - (b) ensure that BOM ground-based weather radar, and cellular data coverage capable of being accessed by the EFB, is available for the area of the proposed flight.
- (4) Subject to subsection (6), the pilot in command must operate the relevant aeroplane in VMC if any of the following:
 - (a) an authorised weather forecast;
 - (b) EFB-displayed BOM ground-based weather radar information;

- (c) an authorised weather report;

indicate that potentially hazardous weather conditions exist within 30 NM of any of the following:

- (d) the flight path along which the aeroplane will be flown, including any instrument approach;
- (e) the flight path to the alternate aerodrome, including any instrument approach.

Note See section 3. **Potentially hazardous weather conditions** means, in practical effect, such potential weather conditions as would otherwise be detected by airborne weather radar equipment, if one were fitted, but would instead be detected by an authorised weather forecast, or EFB-displayed BOM ground-based weather radar information, or an authorised weather report.

- (5) The pilot in command must ensure that en route alternate aerodromes are available to which the relevant aeroplane may divert if VMC conditions are unable to be maintained.
- (6) The pilot in command must not operate the relevant aeroplane if:
 - (a) subsection (4) would otherwise apply; but
 - (b) any of the following also applies:
 - (i) the EFB is unserviceable;
 - (ii) BOM ground-based weather radar, or cellular data coverage capable of being accessed by the EFB, is not available for any area of the proposed flight;
 - (iii) a BOM weather site that would otherwise have provided ground-based weather radar coverage of both of the flight paths mentioned in paragraphs (4)(a) and (b) is out of service.

7 Direction

Shortstop must ensure that the pilot in command of the relevant aeroplane complies with each of the conditions mentioned in section 6.
