



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX134/20

I, WARREN CRAIG MARTIN, 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*.

[Signed C. Martin]

Craig Martin

Executive Manager, Regulatory Services & Surveillance

23 September 2020

**CASA EX134/20 — Refuelling in Ordnance Loading Areas (Raytheon)
Exemption 2020**

1 Name

This instrument is *CASA EX134/20 — Refuelling in Ordnance Loading Areas (Raytheon) Exemption 2020*.

2 Duration

This instrument:

- (a) commences on 1 October 2020; and
- (b) is repealed at the end of 30 September 2023.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: ***aircraft***, ***operations manual*** and ***pilot in command***.

In this instrument:

ordnance loading area means an area within an unsealed building at a location in Australia that is:

- (a) under the command of the Royal Australian Air Force or Royal Australian Navy; and
- (b) designated by the Australian Defence Force as an ordnance loading area.

Raytheon means Raytheon Australia Pty Ltd, ARN 581460.

4 Application

This instrument applies in relation to Raytheon if a Learjet 35 aircraft operated by Raytheon is located in an ordnance loading area during a fuelling operation on the aircraft that is carried out for the purpose of:

- (a) performing a contract with the Australian Defence Force; or
- (b) departing the location of the ordnance loading area following the delivery of services provided under a contract with the Australian Defence Force.

5 Exemption and conditions — Raytheon

- (1) Raytheon is exempt from compliance with subparagraph 4.1.1 (d) of Civil Aviation Order 20.9, to the extent that the subparagraph requires Raytheon to ensure that a fuelling operation on an aircraft mentioned in section 4 is not carried out in an ordnance loading area.

Note For the same kind of exemption related to the pilot in command of an aircraft mentioned in section 4, see subsection 6 (1).

- (2) The exemption is subject to the conditions mentioned in subsection (3).

Note Under subparagraph 4.1.1 (d) of Civil Aviation Order 20.9, during fuelling operations on an aircraft with a maximum take-off weight in excess of 5 700 kg (12 566 lb), the aircraft and ground fuelling equipment must be located so that no fuel tank filling points or vent outlets lie within 15 metres (50 ft) of any unsealed building.

- (3) Raytheon must ensure that:
 - (a) each fuelling operation on an aircraft mentioned in section 4 is carried out by members of the Australian Defence Force; and
 - (b) a copy of this instrument is included in the Raytheon operations manual.

6 Exemption and conditions — pilot in command of aircraft

- (1) The pilot in command of an aircraft mentioned in section 4 is exempt from compliance with subparagraph 4.1.1 (d) of Civil Aviation Order 20.9, to the extent that the subparagraph requires the pilot in command to ensure that a fuelling operation on the aircraft is not carried out in an ordnance loading area.

- (2) The exemption is subject to the conditions mentioned in subsection (3).

- (3) Before a fuelling operation is carried out on an aircraft mentioned in section 4, the pilot in command of the aircraft must:

- (a) examine the fuelling equipment intended to be used to carry out the fuelling operation; and
 - (b) be satisfied, on reasonable grounds, that the fuelling equipment is:
 - (i) suitable to be used for fuelling the aircraft in an ordnance loading area; and
 - (ii) serviceable.
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