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CASA EX103/20 — Aerodrome Rescue and Fire-fighting Service (Proserpine/Whitsunday Coast Aerodrome) Instrument 2020

1 Name
This instrument is CASA EX103/20—Aerodrome Rescue and Fire-fighting Service (Proserpine/Whitsunday Coast Aerodrome) Instrument 2020.

2 Duration
This instrument:
(a) commences on 1 July 2020; and
(b) is repealed at the end of 30 June 2021.

Note Section 5 is repealed in accordance with subsection 5 (3). For regulation 11.250 of CASR, the directions in section 7 cease to be in force at the end of 30 June 2021.

3 Repeal of CASA EX122/19
Instrument CASA EX122/19 — Aerodrome Rescue and Fire-fighting Service (Proserpine/Whitsunday Coast Aerodrome) Instrument 2019 is repealed.

4 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: AA, aerodrome, approved, registered training organisation and regular public transport operations.

In this instrument:
ARFFS has the meaning given by subregulation 139.705 (1) of CASR.
ARFFS operation has the meaning given by subregulation 139.705 (1) of CASR.
category of an aerodrome has the meaning given by subregulation 139.705 (1) of CASR.

**firefighter**, in relation to an ARFFS operation for an aerodrome, has the meaning given by subregulation 139.915 (1) of CASR.

**officer in charge**, in relation to an ARFFS operation for an aerodrome, has the meaning given by subregulation 139.915 (1) of CASR.

**prescribed ARFFS training** means:
(a) a program of training in the specialist skills and knowledge required for ARFFS that has been approved in writing by CASA; or
(b) the demonstration of competency in an assessment of the specialist skills and knowledge required for ARFFS that has been approved in writing by CASA.

**prescribed diploma qualification** means either of the following:
(a) the Diploma of Public Safety (Firefighting Management) awarded by an Australian registered training organisation; or
(b) a qualification, equivalent to the qualification mentioned in paragraph (a) and approved in writing by CASA.

**PWCA** means Proserpine/Whitsunday Coast aerodrome, aerodrome certificate number CASA.ADCERT.0158.

### 5 Exemption

(1) AA is exempt from compliance with subregulation 139.711 (1), and Division 139.H.3, of CASR in relation to providing an ARFFS at PWCA.

*Note* Under regulation 139.711 of CASR, it is an offence for a person to provide an ARFFS at an aerodrome unless the person is approved, under Division 139.H.5, to provide the ARFFS. Division 139.H.3 of CASR contains requirements to be complied with by ARFFS providers.

(2) The exemption is subject to the conditions mentioned in section 6.

(3) This section is repealed at the earlier of the following:
(a) AA being approved, under Division 139.H.5 of CASR, to provide an aerodrome category 6 ARFFS at PWCA;
(b) the end of 28 February 2021.

### 6 Conditions

(1) AA must provide the EAC at PWCA.

*Note* Although the condition in subsection 6 (1) requires AA to provide an EAC as defined in section 4, it isn’t intended to prevent AA from providing an EAC at PWCA that is a higher standard than the EAC described in the document mentioned in that definition.

(2) AA must take reasonable steps to ensure that, before any aircraft operator commences regular public transport operations at PWCA, the aircraft operator understands the nature, and extent, of the EAC provided by AA at PWCA.

(3) AA must appoint, as officer in charge in relation to the EAC provided by AA at PWCA, a person who:
(a) is based at PWCA; and
(b) holds a minimum of the prescribed diploma qualification; and
(c) has successfully completed the prescribed ARFFS training.

(4) The condition in subsection (5) applies if a person:
   (a) acts in the capacity of the officer in charge in relation to the EAC that AA provides at PWCA; and
   (b) exercises the powers of the officer in charge, under Division 139.H.4 of CASR, in relation to an ARFFS operation at PWCA.

(5) AA must ensure that a person of a kind mentioned in subsection (4):
   (a) meets the requirements in paragraphs (3) (a) to (c); and
   (b) is a member of the staff of firefighters on duty to undertake an ARFFS operation at PWCA.

(6) By 28 February 2021, AA must take reasonable steps to:
   (a) establish an aerodrome category 6 ARFFS at PWCA; and
   (b) be approved under Division 139.H.5 of CASR to provide an aerodrome category 6 ARFFS at PWCA.

(7) Before the end of each month, from July 2020 to February 2021, AA must provide CASA with a written report on:
   (a) the establishment and delivery by AA of the EAC at PWCA; and
   (b) the establishment by AA of an aerodrome category 6 ARFFS at PWCA.

7 Directions

(1) AA must complete a post-implementation review of the establishment, and delivery, by AA of the EAC at PWCA:
   (a) if, on or before 28 February 2021, AA is approved under Division 139.H.5 of CASR to provide an aerodrome category 6 ARFFS at PWCA — no later than 3 months after the date CASA grants the approval; or
   (b) otherwise — on or before 31 May 2021.

(2) AA must provide a written report to CASA on the outcomes of the post-implementation review mentioned in subsection (1):
   (a) if AA has been approved and has completed the post-implementation review in accordance with paragraph 7 (1) (a) — no later than one month after the date AA completes the post-implementation review; or
   (b) otherwise — on or before 30 June 2021.