Instrument number CASA EX77/20

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

15 May 2020

CASA EX77/20 — Standard Take-off and Landing Minima (Express Freighters Australia) Exemption 2020

1 Name
This instrument is CASA EX77/20 — Standard Take-off and Landing Minima (Express Freighters Australia) Exemption 2020.

2 Duration
This instrument:
(a) commences on 1 August 2020; and
(b) is repealed at the end of 31 July 2023.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: aerodrome, air traffic control, civil aviation legislation, low-visibility approach, low-visibility operation, low-visibility take-off, pilot in command and runway visual range.

In this instrument:

ATC means air traffic control.

CAT means category, and refers to the various categories of precision approach operations mentioned in this instrument.

DH means decision height.

fail-operational, or FO, in relation to a flight control system, means a system capable of completing the specified phases of an operation after passing a designated point, following the failure of any single system component.

fail-passive, or FP, in relation to a flight control system, means a system designed to ensure that there is no significant deviation of aircraft flight path or altitude in the event of a failure of a system component.

LVO means low-visibility operation.

LVP means low-visibility procedures applied by ATC at an aerodrome for protecting aircraft operations during conditions of reduced visibility or low cloud.
M/M means the particular make and model of an aircraft.
RVR means runway visual range.
SA CAT I means Special Authorisation CAT I.
SA CAT II means Special Authorisation CAT II.

4 Application
This instrument applies in relation to Express Freighters Australia Pty Limited (the exempted operator), ARN 503021, if:
(a) the exempted operator conducts a flight to or from an aerodrome in any of the following kinds of aircraft (the aircraft): B737-300, B737-400, B767-300F; and
(b) ATC at the aerodrome has informed the pilot in command of the aircraft that LVP are in force.

5 Exemptions
(1) The exempted operator is exempt from compliance with subregulations 257 (3) and (4) of CAR in relation to the flight.
(2) The pilot in command of the aircraft is exempt from compliance with subregulations 257 (3) and (4) of CAR in relation to the flight.

6 Conditions
(1) It is a condition of the exemption in subsection 5 (1) that the exempted operator ensures compliance with the requirements mentioned in subsection (3) and in Schedule 3.
(2) It is a condition of the exemption in subsection 5 (2) that the pilot in command of the aircraft ensures compliance with the requirements mentioned in subsection (3).
(3) The requirements are:
(a) the aircraft must comply with the meteorological minima for LVO and associated requirements set out in Schedule 1; and
(b) the requirements for LVO mentioned in Schedule 2.

Schedule 1 Operating minima for LVO

Low-visibility take-off minimum
1 An aircraft of a kind mentioned in column 1 of Table 1 must not conduct a low-visibility take-off from the aerodrome if the reported RVR for the take-off is less than the meteorological minimum mentioned in column 2 of the Table.

Table 1: Low-visibility take-off minimum

<table>
<thead>
<tr>
<th>Aircraft M/M (column 1)</th>
<th>Meteorological minimum (column 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B737-300, B737-400, B767-300F</td>
<td>125 m</td>
</tr>
</tbody>
</table>

Low-visibility approach minima
2 An aircraft of a kind mentioned in column 1 of Table 2, when conducting a low-visibility approach operation mentioned in column 2 of the Table for the purpose of landing the aircraft:
(a) has the RVR meteorological minimum mentioned in column 3 of the Table for the low-visibility approach operation; and
(b) must apply the DH mentioned in column 4 of the Table for the low-visibility approach operation.

Table 2: Low-visibility approach minima and requirements

<table>
<thead>
<tr>
<th>Aircraft M/M (column 1)</th>
<th>Low-visibility approach operation (column 2)</th>
<th>RVR minimum (column 3)</th>
<th>DH (column 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B767-300F</td>
<td>SA CAT I</td>
<td>450 m</td>
<td>150 ft</td>
</tr>
<tr>
<td></td>
<td>SA CAT II</td>
<td>400 m</td>
<td>100 ft</td>
</tr>
<tr>
<td>B737-300</td>
<td>CAT II</td>
<td>300 m</td>
<td>100 ft</td>
</tr>
<tr>
<td>B737-400</td>
<td>CAT II</td>
<td>300 m</td>
<td>100 ft</td>
</tr>
<tr>
<td>B767-300F</td>
<td>CAT II</td>
<td>300 m</td>
<td>100 ft</td>
</tr>
<tr>
<td></td>
<td>CAT IIIA</td>
<td>175 m</td>
<td>50 ft</td>
</tr>
<tr>
<td>B767-300F with FP flight control system</td>
<td>CAT IIIB</td>
<td>125 m</td>
<td>No DH</td>
</tr>
<tr>
<td>B767-300F with FO flight control system</td>
<td>CAT IIIB</td>
<td>75 m</td>
<td>No DH</td>
</tr>
</tbody>
</table>

Schedule 2  Requirements for LVO

Operating minimum and procedures

1 If a flight of the kind mentioned in section 4 is conducted in a foreign country, the requirements for LVO for the flight are the most restrictive of the following:
   (a) the requirements for LVO, for the flight, under the civil aviation legislation;
   (b) the requirements for LVO, for the flight, of the foreign country.

Approach ban

2 For landings, the following approach ban rules apply:
   (a) when making an approach, the pilot in command of the aircraft must not continue beyond 1 000 ft above aerodrome elevation if a controlling zone RVR is reported by ATC as continually less than the specified minimum for the landing;
   (b) if, after passing 1 000 ft above aerodrome elevation, a controlling zone RVR is reported by ATC as falling below the specified minimum, the pilot in command of the aircraft may continue the approach to the minimum.

Schedule 3  Amendment of LVO procedures

1 The exempted operator must not amend the LVO procedures in its operations manual without first notifying CASA, in writing, of:
   (a) details of the proposed amendment; and
   (b) the exempted operator’s detailed assessment of the likely effects of the proposed amendment on the safety of the exempted operator’s LVO if the proposed amendment is adopted.
2 The exempted operator must ensure that a proposed amendment to the LVO procedures only takes effect if it:
   (a) does not reduce the operating minima below those mentioned in Schedule 1; and
   (b) does not have the effect of increasing the safety risk of the exempted operator’s LVO procedures; and
   (c) has been agreed to by CASA, in writing.

3 If requested by CASA, in writing, the exempted operator must make an amendment to its LVO procedures.