Instrument number CASA EX122/19


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CASA EX122/19 — Aerodrome Rescue and Fire-fighting Service (Proserpine/Whitsunday Coast Aerodrome) Instrument 2019

1 Name
This instrument is CASA EX122/19 — Aerodrome Rescue and Fire-fighting Service (Proserpine/Whitsunday Coast Aerodrome) Instrument 2019.

2 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 has the meaning given by subregulation 139.705 (1) of CASR.
EAC means an ARFFS in the form of the “Early ARFFS Capability” described in the document prepared by AA entitled New ARFFS Establishment at Whitsunday Coast Airport (WCA) - Concept/Design - Safety Case, Version 1.0, Effective 15 July 2019, as existing on 18 July 2019.
firefighter has the meaning given by subregulation 139.915 (1) of CASR.
Manual of Standards has the meaning given by subregulation 139.705 (1) of CASR.
officer in charge has the meaning given by subregulation 139.915 (1) of CASR.
prescribed ARFFS training means a program of training in, or the demonstration of competency in an assessment of, the specialist skills and knowledge required for an ARFFS, in accordance with AA’s operations manual, as existing at the time this instrument commences, under regulation 139.850 of CASR.
prescribed diploma qualification means a Diploma of Public Safety (Firefighting Management) awarded by a registered training organisation.

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

3 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 4.

(3) This section is repealed at the earlier of the following: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 30 June 2020.

4 Conditions

(1) AA must provide the EAC at PWCA.

(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) If a person acts in the capacity of the officer in charge in relation to the EAC provided by AA at PWCA, and exercises the powers of the officer in charge, under Division 139.H.4 of CASR, in relation to an ARFFS operation at PWCA, AA must ensure that the person:
   (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.

(5) AA must take reasonable steps to establish, and be approved under Division 139.H.5 of CASR to provide, an aerodrome category 6 ARFFS at PWCA by 30 June 2020.

(6) Before the end of each month, from November 2019 to June 2020, 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.

5 Directions

(1) By 31 December 2020, AA must conduct a post-implementation review of the establishment, and delivery, by AA of the EAC at PWCA.

(2) By 31 January 2021, AA must provide a written report to CASA on the outcomes of the post-implementation review mentioned in subsection (1).
6 Repeal
This instrument is repealed at the end of 31 January 2021.

Note Section 3 is repealed in accordance with subsection 3 (3). For regulation 11.205 of CASR, the directions in section 5 cease to be in force at the end of 31 January 2021.