



**Australian Government**  
**Civil Aviation Safety Authority**

Instrument number CASA EX133/17

I, JOHN FRANCIS GRIMA, Acting Aviation Group Manager, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 173.375 of the *Civil Aviation Safety Regulations 1998*.

**[Signed J. Grima]**

John Grima  
 Acting Aviation Group Manager

19 September 2017

**Exemption – Part 173 of CASR – Naverus Inc.**

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**1 Duration**

This instrument:

- (a) commences on the day after registration of instrument CASA EX134/17; and
- (b) is repealed at the end of 31 August 2020.

**2 Repeal**

Instrument CASA EX52/15 is repealed.

**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: ***design work*** and ***terminal instrument flight procedure***.

In this instrument:

***chief designer*** includes a person appointed by Naverus and approved by CASA to act as the chief designer for Naverus.

***Doc 8168*** means the ICAO Doc. 8168 (PANS-OPS), as it exists at the time this instrument commences.

***Doc 9905*** means the ICAO Doc. 9905 “Required Navigation Performance Authorization Required (RNP AR) Procedure Design Manual”, as it exists at the time this instrument commences.

***MOS*** means the *Manual of Standards (MOS) Part 173 — Standards Applicable to Instrument Flight Procedure Design*, as in force from time to time.

***Naverus*** means Naverus Inc., ARN 782924, of 20415 72<sup>nd</sup> Avenue South, Suite 300, Kent, WA, 98032, United States of America.

***Naverus design criteria*** means the design criteria mentioned in:

- (a) *Naverus Design Criteria Manual*, Vol. A4A, Issue 5, as it exists on the date this instrument commences; and
- (b) *Design Criteria Manual Regulatory Supplement*, Volume A4B.02, Issue 6, containing the Multi-Variant Design Specification, as it exists on the date this instrument commences.

***Naverus design criteria TIFP*** means an RNP AR TIFP designed by Naverus in accordance with the Naverus design criteria.

***RNP AR*** has the same meaning as in *Civil Aviation Order 20.91 (Instructions and directions for performance-based navigation) Instrument 2014*, as in force from time to time.

***TIFP*** means a terminal instrument flight procedure for a location in Australia.

#### **4 Exemption — RNP AR TIFP designed to ICAO standards**

- (1) In relation to design work on an RNP AR TIFP conducted by Naverus in accordance with Doc 8168 and Doc 9905, Naverus is exempt from compliance with the following provisions of Part 173 of CASR:
  - (a) paragraph 173.125 (b) — to the extent that the paragraph requires Naverus to ensure a qualified designer meets the requirement in paragraph 3.1.3.1 (a) of the MOS;
  - (b) subregulation 173.165 (2) — to the extent that the subregulation requires Naverus to comply with paragraph 3.1.2.1 (c) of the MOS in respect of the appointment of the chief designer.
- (2) The exemption is subject to the conditions in section 6.

#### **5 Exemption — Naverus design criteria TIFP**

- (1) In relation to design work on a Naverus design criteria TIFP, Naverus is exempt from compliance with a provision of CASR mentioned in column 1 of the Table in Schedule 1 to the extent mentioned for the provision in column 2 of the Table.
- (2) The exemption is subject to the conditions in sections 6 and 7.

#### **6 General conditions**

- (1) Naverus must comply with any written instructions given by CASA for the purpose of ensuring that Naverus complies with the requirements of this instrument.
- (2) Naverus must clearly mark each RNP AR TIFP with the words “FOR CASA-APPROVED OPERATORS ONLY”.
- (3) Naverus must permit CASA authorised inspectors to exercise their powers under Division 173.E.5 of CASR.
- (4) Naverus must comply with any written directions given by CASA for the purpose of ensuring that Naverus complies with its obligations under this instrument.

#### **7 Conditions — Naverus design criteria TIFP**

- (1) Naverus must obtain the written approval of CASA before amending a document referred to in paragraph (a) or (b) of the definition of ***Naverus design criteria***, unless the amendments are only of an editorial or clerical nature and do not affect technical or procedural matters.

*Note* Under Australian law, this instrument cannot apply the requirements of the Naverus design criteria as amended from time to time. This instrument applies the requirements of the versions of the Naverus design criteria documents mentioned in the definitions section. Any amendment that changes the substance of those requirements will necessitate a reissue of this instrument before the changes can be relied upon under the exemption.

- (2) Naverus must provide the document *Operational Guidance for GE Aviation RNP AR Procedures*, Volume C3B.02, to all operators licensed by Naverus to fly a Naverus design criteria TIFP designed by Naverus in reliance on the exemption in section 5.
- (3) Naverus must ensure that the reference materials, documents and records maintained for regulations 173.150 and 173.155 of CASR include the Naverus design criteria and any other material specified in writing by CASA to be maintained.
- (4) Naverus must not transfer its responsibility for maintaining a Naverus design criteria TIFP unless CASA has approved the transfer in writing.

## **8 Direction under regulation 173.375 of CASR — operations manual**

CASA directs Naverus to include in its operations manual:

- (a) copies of the following:
  - (i) this instrument;
  - (ii) any directions given to Naverus by CASA in relation to its design work;
  - (iii) the Naverus design criteria; and
- (b) a description of the processes and documents used to present to staff the relevant standards, rules, procedures and drafting conventions contained in:
  - (i) the Naverus design criteria; and
  - (ii) the provisions of the MOS that apply to Naverus in respect of its design work.

### **Schedule 1 RNP AR Naverus criteria**

<b>Item</b>	<b>Provision (Column 1)</b>	<b>Extent (Column 2)</b>
1	Regulation 173.050	All.
2	Subregulation 173.075 (1)	The requirements in paragraph 2.1.1.1 (m) of the MOS.
3	Regulation 173.085	The requirements in the following provisions of the MOS: <ol style="list-style-type: none"> <li>(a) Chapter 1;</li> <li>(b) Chapter 8, excluding paragraphs 8.1.1.3, 8.1.1.4, 8.1.1.5, 8.1.1.6 and 8.1.5;</li> <li>(c) Chapter 9.</li> </ol>
4	Subregulation 173.090 (2)	The qualifications for a “qualified designer” mentioned in the definition of that term in subparagraph 173.090 (4) (b) (i).

<b>Item</b>	<b>Provision (Column 1)</b>	<b>Extent (Column 2)</b>
5	Subparagraph 173.125 (b) (ii)	The requirement for training in accordance with the MOS does not cover training in the following provisions of the MOS: (a) paragraph 3.1.2.1 (c); (b) paragraph 3.1.2.2 (b); (c) paragraph 3.1.3.1 (a).
6	Subregulations 173.150 (1) and 173.155 (1)	The requirement in paragraph 4.1.1.1 of the MOS.
7	Subregulation 173.165 (2)	The requirement in paragraph 3.1.2.1 (c) of the MOS.