



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX112/18

I, PETER MICHAEL WHITE, 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 P. White]

Peter White

Executive Manager, Regulatory Services & Surveillance

22 August 2018

**CASA EX112/18 — Fixed-wing Firefighting Operations (Field Air (Ballarat))
 Exemption 2018**

1 Name

This instrument is *CASA EX112/18 — Fixed-wing Firefighting Operations (Field Air (Ballarat)) Exemption 2018*.

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. *Aerial application operation* is defined in regulation 137.010 of CASR. *Operating crew* is defined in regulation 2 of CAR.

In this instrument:

Conair means Conair Group Inc. of Abbotsford BC, Canada.

CTM means a CASA Certificate Team Manager.

Field Air means Field Air (Ballarat) Proprietary Limited, ARN 038565.

firefighting aircraft means the following aircraft:

- (a) BAE-AVRO-146-RJ85A aircraft serial number E2268 registered on the day this instrument commences as C-GVFK;
- (b) BAE-AVRO-146-RJ85A aircraft serial number E2253 registered on the day this instrument commences as C-GVFT.

exempted firefighting application operation means an aerial application operation conducted by Field Air using a firefighting aircraft operated by employees of Conair that:

- (a) is for firefighting purposes; or
- (b) involves training for a firefighting operation; or
- (c) involves the repositioning of the aircraft for the purpose of the aircraft conducting, or being available for, a firefighting operation.

3 Exemption

- (1) Field Air is exempt from compliance with regulation 137.235 and subregulation 137.240 (2) of CASR in relation to the conduct of an exempted firefighting application operation.
- (2) The exemption is subject to the conditions in section 4.

4 Conditions — operating crew requirements

- (1) Before Field Air commences each exempted firefighting application operation, it must ensure that the person performing the duties of chief pilot for Field Air:
 - (a) verifies that each member of the operating crew of the aircraft:
 - (i) meets the requirements for crew members mentioned in the paragraphs of subsection (4); and
 - (ii) has been given a copy of this instrument; and
 - (b) sights and verifies the currency of the following documents for each member of the operating crew:
 - (i) licence;
 - (ii) endorsements and ratings for the aircraft that are required for the operation;
 - (iii) medical certificate;
 - (iv) annual proficiency check on the aircraft.
- (2) Field Air must not permit a person to act as a member of the operating crew for an exempted firefighting application operation unless a CTM or a CASA flying operations inspector has:
 - (a) sighted the documents mentioned in paragraph (1) (b) for the crew member; and
 - (b) documented the currency of the documents for the period covering the operation.
- (3) Field Air must keep, for a period of 3 years following the repeal of this instrument, copies of the documents mentioned in paragraph (1) (b) for each member of the operating crew for an exempted firefighting application operation.
- (4) Field Air must not permit a person to be a member of the operating crew for an exempted firefighting application operation unless the person:
 - (a) holds the Transport Canada authorisations, and meets the minimum experience requirements, that would be required for the crew member if the operation was conducted by Conair in Canada; and
 - (b) has undergone additional training (if any) that would be required to permit the crew member to perform their duties, in Canada, in operations in the nature of the operation; and
 - (c) has satisfied Transport Canada annual proficiency check requirements for the duties performed on the aircraft for the operation; and
 - (d) is familiar with the crew member's obligations under the *Civil Aviation Act 1988* in relation to the operation.

Note Those obligations include the requirements under CAR and CASR. The pilot in command of an aircraft engaged in aerial application operations has particular obligations in relation to the safety of the aircraft and its occupants under regulation 224 of CAR.

5 Conditions — operations manual

- (1) Field Air must ensure that an exempted firefighting application operation is conducted in accordance with its operations manual, as the manual exists on the day this instrument is signed.

- (2) Field Air must not, without CASA's prior written approval, amend any part of its operations manual that affects the conduct of an exempted firefighting application operation.

Note In accordance with section 46AA of the *Acts Interpretation Act 1901*, this instrument incorporates the requirements of the Field Air operations manual only as the manual exists on the day this instrument is signed. CASA will consider a request to reissue this instrument to incorporate an amended version of the manual.

6 Repeal of this instrument

This instrument is repealed at the end of 30 April 2019.
