



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX124/18

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

12 September 2018

CASA EX124/18 — Fixed-wing Firefighting Operations (Coulson Aviation) Exemption 2018

1 Name

This instrument is *CASA EX124/18 — Fixed-wing Firefighting Operations (Coulson Aviation) 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. These include: *aerial application operation*, *FAA* and *operating crew*.

In this instrument:

Coulson Aviation means Coulson Aviation (Australia) Pty Ltd, ARN 786315.

Coulson Aviation operations manual means the *Coulson Company Operations Manual, revision 04-09*, dated “01 Sep 18”.

CTM means a CASA Certificate Team Manager.

exempted operation means a firefighting application operation conducted using a firefighting aircraft.

firefighting aircraft means the following aircraft:

- (a) Lockheed EC130Q aircraft serial numbers 161495 (382-4901) and 161496 (382-4904), respectively registered on the day this instrument commences as N130FF and N130CG;
- (b) Lockheed L-382 aircraft serial numbers 4698 and 5025, respectively registered on the day this instrument commences as N402LC and N405LC.

firefighting application operation means an aerial application operation that:

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

3 Application

This instrument applies in relation to Coulson Aviation if it conducts an exempted operation.

4 Exemptions

- (1) Coulson Aviation is exempt from compliance with regulations 137.025 and 137.235, and subregulation 137.240 (2), of CASR in relation to an exempted operation.
- (2) The pilot in command of a firefighting aircraft is exempt from compliance with regulation 137.025 of CASR in relation to an exempted operation.
- (3) The exemption in subsection (1) is subject to the conditions in sections 5 and 6.

5 Conditions — operating crew requirements

- (1) Before Coulson Aviation commences each exempted operation, Coulson Aviation must ensure that its chief pilot:
 - (a) verifies that each member of the operating crew of the aircraft:
 - (i) complies with the condition in subsection (3); 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) evidence of compliance with the annual proficiency check requirement mentioned in paragraph (3) (c).
- (2) Coulson Aviation must not permit a person to act as a member of the operating crew for an exempted operation unless a CTM or a CASA flying operations inspector has:
 - (a) sighted the documents mentioned in paragraph (1) (b) for each member of the operating crew; and
 - (b) documented the currency of the documents for the period covering the exempted operation.
- (3) Coulson Aviation 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 FAA authorisations, and meets the minimum experience requirements, that would be required for the crew member if the operation was conducted by Coulson Aviation (USA) Limited in the United States of America; and
 - (b) has undergone additional training (if any) that would be required to permit the crew member to perform their duties, in the United States of America, in operations in the nature of the exempted operation; and
 - (c) has satisfied FAA annual proficiency check requirements for the duties performed on the aircraft for the exempted operation; and
 - (d) is familiar with the crew member's obligations under the *Civil Aviation Act 1988* in relation to the exempted 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, and the carriage of passengers in an aerial application operation under regulation 137.135 of CASR.

6 Conditions — operations manual

- (1) Coulson Aviation must ensure that the exempted operation is conducted in accordance with the Coulson Aviation operations manual.
- (2) Coulson Aviation must not, without CASA's prior written approval, amend any part of the Coulson Aviation operations manual that affects the conduct of an exempted operation.

Note In accordance with section 46AA of the *Acts Interpretation Act 1901*, this instrument incorporates only the version of the Coulson Aviation operations manual mentioned in section 2. CASA will consider a request to reissue this instrument to incorporate an amended version of the manual.

7 Repeal

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