

Annex A

Proposed Amendment to Civil Aviation Order – CAO 82.0 – Air Operators' Certificates – applications for certificates and general requirements

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Australian Government
Civil Aviation Safety Authority

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under paragraph 28BA (1) (b) and subsection 98 (4A) of the *Civil Aviation Act 1988*.

John F. McCormick
Director of Aviation Safety

July 2010

Civil Aviation Order 82.0 Amendment Order (No. 1) 2010

1 Name of instrument

This instrument is the *Civil Aviation Order 82.0 Amendment Order (No. 1) 2010*.

2 Commencement

This instrument commences [3 to 6 months after registration].

3 Amendment of Civil Aviation Order 82.0

Schedule 1 amends Civil Aviation Order 82.0.

Schedule 1 Amendments

[1] Paragraph 2.1, new definition, *minimum safe fuel*

insert

minimum safe fuel has the meaning given by paragraph 2.3.

[2] Paragraph 2.1, definition of *remote island*

substitute

remote island means:

- (a) Christmas Island; or
- (b) Cocos (Keeling) Islands; or
- (c) Lord Howe Island; or
- (d) Norfolk Island.

[3] Paragraph 2.1, new definition of *reserve fuel*

insert

reserve fuel means the variable fuel reserve and the fixed fuel reserve to be carried by an aircraft in accordance with guidelines issued by CASA for subparagraph 234 (3) (d) of the *Civil Aviation Regulations 1988*.

[4] Paragraphs 2.3, 2.4 and 2.4.1

substitute

- 2.3 Unless CASA approves otherwise in writing for a particular flight, the ***minimum safe fuel*** for an aeroplane undertaking a flight to a remote island is the greater of the following:
- (a) the total of:
 - (i) the minimum amount of fuel that would enable the aeroplane to fly, with all engines operating, to the remote island aerodrome and then to the nominated alternate aerodrome; and
 - (ii) reserve fuel;
 - (b) the total of:
 - (i) the minimum amount of fuel that would enable the aeroplane to do the following if a critical event were to occur at the most critical point of the flight:
 - (A) fly to its destination aerodrome, or an alternate aerodrome;
 - (B) fly above the aerodrome for 15 minutes at 1 500 feet at holding speed under standard temperature conditions;
 - (C) land at the aerodrome; and
 - (ii) reserve fuel.
- 2.3.1 For paragraph 2.3, a ***critical event*** for an aeroplane means:
- (a) the failure of an engine; or
 - (b) a loss of pressurisation in the aircraft; or
 - (c) both the failure of an engine and a loss of pressurisation in the aircraft.
- 2.3.2 An approval under paragraph 2.3 may be given with or without conditions.
- 2.4 An amount of fuel mentioned in paragraph 2.3 is to be worked out:
- (a) for an aeroplane that is a transport category aircraft, by using:
 - (i) the performance data and the fuel consumption data contained in the aeroplane's flight manual; or
 - (ii) the performance data and the fuel consumption data obtained from a flight test of the aeroplane carried out in an approved manner; or
 - (b) for an aeroplane that is not a transport category aircraft, by using:
 - (i) the following:

- (A) the performance data for the aeroplane provided by the manufacturer of the aircraft's airframe, or contained in the aeroplane's flight manual or the pilot's operating handbook for the aeroplane; and
 - (B) the fuel consumption data for the aeroplane obtained from 1 of the sources mentioned in sub-sub-paragraph (A), or provided by the manufacturer of the aeroplane's engines; or
- (ii) the performance data and the fuel consumption data obtained from a flight test of the aeroplane carried out in an approved manner.
- 2.4.1 For sub-paragraphs 2.4 (a) (i) and 2.4 (b) (i), if the issue of a supplemental type certificate for an aeroplane has the effect of amending the performance data or the fuel consumption data referred to in the sub-paragraphs, the amended performance data or fuel consumption data must be used.

[5] Subsection 3A

substitute

3A Conditions on all passenger-carrying aeroplane operations to remote islands

- (1) Unless CASA approves otherwise in writing, each certificate authorising aerial work, charter or regular public transport operations in an aeroplane is subject to the condition that a passenger may be carried under the certificate on a flight to a remote island only if:
 - (a) the aeroplane has more than 1 engine; and
 - (b) at the start of the flight, not less than the minimum safe fuel is carried by the aeroplane for the flight; and
 - (c) before the flight commences, the pilot in command has nominated an alternate aerodrome for the flight; and
 - (d) the nominated alternate aerodrome is not located on a remote island.
- (2) An approval under paragraph (1) may be given with or without conditions.

Note 1 Under subregulation 2 (1) of the *Civil Aviation Regulations 1988*, **passenger** means any person who is on board an aircraft other than a member of the operating crew.

Note 2 Subsection 3A, read with paragraph 2.3, means that an AOC holder may not conduct an aeroplane operation carrying a passenger to a remote island except in a multi-engine aeroplane, whose pilot in command has nominated an appropriate alternate aerodrome for the flight, and which at take-off is carrying sufficient fuel to reach the destination aerodrome and then the nominated alternate aerodrome without using any reserve fuel.

[6] Appendix 5, after subclause 6 (3)

insert

- (4) If subsection 3A applies to an AOC holder for an aeroplane conducting an EDTO flight, then:
 - (a) the amount of fuel calculated for subclause (2) must be not less than the minimum safe fuel; and

- (b) the operations manual must include the calculation of the minimum safe fuel.

Note Subsection 3A deals with passenger-carrying aeroplane operations to remote islands. ***Remote island, reserve fuel*** and ***minimum safe fuel*** are defined terms under this Order.

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