



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX116/21

I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed C. Martin]

Craig Martin
Executive Manager, Regulatory Oversight

27 September 2021

CASA EX116/21 — Standard Take-off and Landing Minima (Virgin Australia Airlines) Exemption 2021

1 Name

This instrument is *CASA EX116/21 — Standard Take-off and Landing Minima (Virgin Australia Airlines) Exemption 2021*.

2 Duration

This instrument:

- (a) commences on 1 October 2021; and
- (b) is repealed at the end of 30 September 2024.

Note Approval to conduct a low-visibility operation under this instrument may cease at an earlier date in accordance with subregulation 202.416 (3) of CASR. See the *Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021*.

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: *aerodrome*, *air traffic control*, *low-visibility approach*, *low-visibility operation*, *low-visibility take-off*, *pilot in command* and *runway visual range*.

In this instrument:

ATC means air traffic control.

CAT means category, and refers to the various categories of precision approach operations mentioned in this instrument.

DH means decision height.

fail-operational, or *FO*, in relation to a flight control system, means a system capable of completing the specified phases of a flight after passing a designated point, following the failure of any single system component.

fail-passive, or *FP*, in relation to a flight control system, means a system designed to ensure that there is no significant deviation of aircraft flight path or attitude following the failure of any single system component.

LVO means low-visibility operation.

LVP means low-visibility procedures applied by ATC at an aerodrome for protecting aircraft operations during conditions of reduced visibility or low cloud.

M/M means the particular make and model of an aircraft.

RVR means runway visual range.

SA Category I, or **SA CAT I**, has the same meaning as in the Manual of Standards (MOS) — Part 139 Aerodromes.

SA Category II, or **SA CAT II**, has the same meaning as in the Manual of Standards (MOS) — Part 139 Aerodromes.

4 Application

This instrument applies in relation to Virgin Australia Airlines Pty Ltd, ARN 567591 (the **exempted operator**), if:

- (a) the exempted operator conducts a flight to or from an aerodrome in any of the following kinds of aircraft (the **aircraft**): B737-700; B737-800; and
- (b) ATC at the aerodrome has informed the pilot in command of the aircraft that LVP are in force.

5 Exemptions

- (1) The exempted operator is exempt from compliance with subregulations 257 (3) and (4) of CAR in relation to the flight.
- (2) The pilot in command of the aircraft is exempt from compliance with subregulations 257 (3) and (4) of CAR in relation to the flight.

6 Conditions

- (1) It is a condition of the exemption in subsection 5 (1) that the exempted operator ensures compliance with the requirements mentioned in subsection (3) and in Schedule 3.
- (2) It is a condition of the exemption in subsection 5 (2) that the pilot in command of the aircraft ensures compliance with the requirements mentioned in subsection (3).
- (3) The requirements are:
 - (a) the aircraft must comply with the meteorological minima for LVO and associated requirements set out in Schedule 1; and
 - (b) the requirements for LVO mentioned in Schedule 2.

Schedule 1 Operating minima for LVO

Low-visibility take-off minimum

- 1 An aircraft of a kind mentioned in column 1 of Table 1 must not conduct a low-visibility take-off from the aerodrome if the reported RVR for the take-off is less than the meteorological minimum mentioned in column 2 of the Table.

Table 1: Low-visibility take-off minimum

Aircraft M/M (column 1)	Meteorological minimum (column 2)
B737-700, B737-800	125 m

Low-visibility approach minima

- 2 An aircraft of a kind mentioned in column 1 of Table 2, when conducting a low-visibility approach operation mentioned in column 2 of the Table for the purpose of landing the aircraft:
 - (a) has the RVR meteorological minimum mentioned in column 3 of the Table for the low-visibility approach operation; and
 - (b) must apply the DH mentioned in column 4 of the Table for the low-visibility approach operation.

Table 2: Approach minima and requirements

Aircraft M/M (column 1)	Low-visibility approach operation (column 2)	RVR minimum (column 3)	DH (column 4)
B737-700 with FP flight control system	SA CAT I	450 m	150 ft
	CAT II	300 m	100 ft
B737-800 with FP flight control system	SA CAT I	450 m	150 ft
	CAT II	300 m	100 ft
B737-800 with FO flight control system	SA CAT I	450 m	150 ft
	CAT II	300 m	100 ft
	SA CAT II	350 m	100 ft
	CAT IIIA	175 m	50 ft
	CAT IIIB	75 m	No DH

Schedule 2 Requirements for LVO

Operating minimum and procedures

- 1 If a flight of the kind mentioned in section 4 is conducted in a foreign country, the requirements for LVO for the flight are the most restrictive of the following:
 - (a) the requirements for LVO, for the flight, under the civil aviation legislation;
 - (b) the requirements for LVO, for the flight, of the foreign country.

Approach ban

- 2 For landings, the following approach ban rules apply:
 - (a) when making an approach, the pilot in command of the aircraft must ensure that the aircraft does not continue beyond 1 000 ft above aerodrome elevation if a controlling zone RVR is reported by ATC as continually less than the specified minimum for the landing;
 - (b) if, after passing 1 000 ft above aerodrome elevation, a controlling zone RVR is reported by ATC as falling below the specified minimum, the pilot in command of the aircraft may continue the approach to the minimum.

Schedule 3 Amendment of LVO procedures

Amendment of LVO procedures

- 1 The exempted operator must not amend the LVO procedures in its operations manual without first notifying CASA, in writing, of:
 - (a) details of the proposed amendment; and
 - (b) the exempted operator's detailed assessment of the likely effects of the proposed amendment on the safety of the exempted operator's LVO if the proposed amendment is adopted.
 - 2 The exempted operator must ensure that a proposed amendment to the LVO procedures only takes effect if it:
 - (a) does not reduce the operating minima below those mentioned in Schedule 1; and
 - (b) does not have the effect of increasing the safety risk of the exempted operator's LVO procedures; and
 - (c) has been agreed to by CASA, in writing.
 - 3 If requested by CASA, in writing, the exempted operator must make an amendment to its LVO procedures.
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