



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX78/21

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*.

*W C Martin*

Craig Martin  
Executive Manager, Regulatory Oversight

5 August 2021

### **CASA EX78/21 — Standard Take-off Minima (Vee H Aviation) Exemption 2021**

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#### **1 Name**

This instrument is *CASA EX78/21 — Standard Take-off Minima (Vee H Aviation) Exemption 2021*.

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

In this instrument:

*ATC* means air traffic control.

*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.

*runway visibility* or *RV* means the visibility along a runway as assessed by a person appointed by the aerodrome operator.

*RVR* means runway visual range.

*TDZ* means the touchdown zone.

#### **3 Application**

This instrument applies in relation to Vee H Aviation Pty Ltd, ARN 204507 (the *exempted operator*), if:

- (a) the exempted operator conducts a flight from an aerodrome in a SAAB 340 kind of aircraft (the *aircraft*); and
- (b) ATC at the aerodrome has informed the pilot in command of the aircraft that LVP are in force.

#### 4 Exemptions

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

#### 5 Conditions

- (1) It is a condition of the exemption in subsection 4 (1) that the exempted operator ensures compliance with the requirements mentioned in subsection (3) and Schedule 3.
- (2) It is a condition of the exemption in subsection 4 (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.

#### 6 Repeal

This instrument is repealed at the end of 31 July 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*.

### Schedule 1 Operating minima for LVO

#### Low-visibility take-off minimum

An aircraft of a kind mentioned in column 1 of Table 1 must not conduct a low-visibility take-off from the aerodrome:

- (a) if the reported RV or RVR for the take-off is less than the meteorological minimum mentioned in column 2 of the Table; and
- (b) unless the condition mentioned in column 3 of the Table is met.

**Table 1: Low-visibility take-off minimum**

<b>Aircraft (Column 1)</b>	<b>Meteorological minimum (Column 2)</b>	<b>Condition (Column 3)</b>
SAAB 340	350 m	RV assessments may be used only if RVR is not available. For 350 m or greater RV TDZ, the pilot in command must act as the approved observer for the TDZ.

## **Schedule 2 Requirements for LVO**

### **Operating minimum and procedures**

If a flight of the kind mentioned in section 3 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.

## **Schedule 3 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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