

## **EXPLANATORY STATEMENT**

### **CIVIL AVIATION ACT 1988**

#### **CIVIL AVIATION SAFETY REGULATIONS 1998**

##### **AMENDMENT OF MANUAL OF STANDARDS SUBPART 139.H**

###### **AERODROME RESCUE AND FIRE FIGHTING SERVICES**

Under paragraph 9 (1) (c) of the *Civil Aviation Act 1988*, the Civil Aviation Safety Authority (CASA) has the function of conducting the safety regulation of civil air operations by means that include developing and promulgating appropriate, clear and concise aviation safety standards.

Regulation 139.712 of Subpart 139.H of the *Civil Aviation Safety Regulations 1998* (CASR) provides that CASA may issue a Manual of Standards (MOS) for Subpart 139.H. Under regulation 139.712, the MOS may provide for standards and criteria for Aerodrome Rescue and Fire Fighting Services (ARFFS), including standards for procedures, systems, documents, and facilities. It also may provide for competency and training for ARFFS personnel, and any matter required or permitted by the regulations to be provided for by the MOS or necessary or convenient for the effective operation of Subpart 139.H.

These amendments of the MOS were issued following public consultation invited by a Notice of Proposed Change published on the CASA website and in a national newspaper. The amendments reflect an updating of the entire MOS to ensure that accurate and contemporary standards are in place for the purposes of Subpart 139.H. There are also several changes of an editorial nature to improve the wording and presentation of the MOS.

The changes include amendments of the interpretation section, a clearer expression of what is required in a Safety Management System and also a clearer expression of the criteria to be applied in determining the level of service required at various categories of aerodrome. The changes also update equipment and training requirements and standards for various facilities, including communications and siting of ARFFS stations.

The MOS issued under regulation 139.712 is a disallowable instrument by virtue of subsections 98 (5A) and (5B) of the Act. Subsection (5A) provides that CASA may issue instruments in relation to the safe navigation and operation of aircraft. Subsection (5B) provides that an instrument under subsection (5A) is a disallowable instrument under section 46A of the *Acts Interpretation Act 1901*.

The amendments of the MOS have been issued by the Director of Aviation Safety under subsection 84A (2) of the Act.

The amendments came into effect on gazettal.

[Manual of Standards Amendment (No. 1) 2004]