

Civil Aviation Amendment (Narrow Runways) Regulation 2014

Select Legislative Instrument No. 165, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 30 October 2014

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Warren Truss

Minister for Infrastructure and Regional Development

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1 Name of regulation

 This regulation is the *Civil Aviation Amendment (Narrow Runways) Regulation 2014*.

2 Commencement

 This regulation commences on 13 November 2014.

3 Authority

 This regulation is made under the *Civil Aviation Act 1988*.

4 Schedule(s)

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Civil Aviation Regulations 1988

1 Regulation 235A

Repeal the regulation, substitute:

235A Taking off from and landing on narrow runways—certain aeroplanes

Application

 (1) This regulation applies to an aeroplane if:

 (a) the aeroplane takes off from, or lands on, a runway with a width of less than the ICAO minimum runway width for the aeroplane (a ***narrow runway***); and

 (b) the aeroplane has a maximum certificated take‑off weight of more than 5 700 kg; and

 (c) the aeroplane is being used to conduct a regular public transport operation or a charter operation; and

 (d) the aeroplane is of a type first type certificated in its country of manufacture on or after 1 March 1978.

Offence for operator and pilot in command—flight manual

 (2) The operator of the aeroplane and the pilot in command each commit an offence if, when the take‑off or landing is conducted, the aeroplane’s flight manual does not provide for the operation of the aeroplane on a narrow runway.

Penalty: 50 penalty units.

Offence for operator—operator’s operations manual

 (3) The operator of the aeroplane commits an offence if, when the take‑off or landing is conducted, the operator’s operations manual does not include operating limitations for taking off from, or landing on, a narrow runway that are at least as restrictive as the provisions of the aeroplane’s flight manual that provide for the operation of the aeroplane on a narrow runway.

Penalty: 50 penalty units.

Offence for operator—operator’s training and checking manual

 (4) The operator of the aeroplane commits an offence if, when the take‑off or landing is conducted, the operator’s training and checking manual does not state the training the operator requires the aeroplane’s flight crew to have completed before conducting a take‑off from, or a landing on, a narrow runway.

Penalty: 50 penalty units.

Offence for operator and pilot in command—flight crew training requirements

 (5) The operator and the pilot in command of the aeroplane each commit an offence if, when the take‑off or landing is conducted, each member of the aeroplane’s flight crew has not successfully completed the training mentioned in subregulation (4).

Penalty: 50 penalty units.

Strict liability

 (6) An offence against this regulation is an offence of strict liability.

Definitions

 (7) In this regulation:

***code letter***, for an aeroplane, means:

 (a) for an aeroplane with a wing span and an outer main gear wheel span mentioned in the same item in table 235A‑1 (other than an aeroplane mentioned in paragraph (c))—the letter mentioned in column 3 of the item; or

 (b) for an aeroplane with a wing span and an outer main gear wheel span mentioned in different items in table 235A‑1 (other than an aeroplane mentioned in paragraph (c))—the letter mentioned in column 3 of the item in the table with the higher number; or

 (c) for an aeroplane with a wing span mentioned in item 1, 2, 3 or 4 of table 235A‑1 and an outer main gear wheel span that is at least 9 m but less than 14 m*—*D.

| Table 235A‑1—Code letters |
| --- |
| Item | Column 1Wing span of aeroplane | Column 2Outer main gear wheel span of aeroplane | Column 3Code letter |
| 1 | less than 15 m | less than 4.5 m | A |
| 2 | at least 15 m but less than 24 m | at least 4.5 m but less than 6 m | B |
| 3 | at least 24 m but less than 36 m | at least 6 m but less than 9 m | C |
| 4 | at least 36 m but less than 52 m | at least 9 m but less than 14 m | D |
| 5 | at least 52 m but less than 65 m | at least 9 m but less than 14 m | E |
| 6 | at least 65 m but less than 80 m | at least 14 m but less than 16 m | F |

***code number***, for an aeroplane with a reference field length mentioned in column 1 of an item of table 235A‑2, means the number mentioned in column 2 of the item.

| Table 235A‑2—Code numbers |
| --- |
| Item | Column 1Reference field length | Column 2Code number |
| 1 | less than 800 m | 1 |
| 2 | at least 800 m but less than 1 200 m | 2 |
| 3 | at least 1 200 m but less than 1 800 m | 3 |
| 4 | at least 1 800 m | 4 |

***contaminated***, for a runway: a runway is ***contaminated*** if more than 25% of the surface area required for take‑off or landing is covered by any of the following:

 (a) water or slush more than 3 mm deep;

 (b) loose snow more than 20 mm deep;

 (c) compacted snow or ice.

***dry***, for a runway: a runway is ***dry*** if the surface area required for a take‑off or landing:

 (a) has no visible moisture; and

 (b) is not contaminated.

***ICAO minimum runway width***, for an aeroplane, means the width shown in the cell of table 235A‑3 that is the intersection of the aeroplane’s code letter and code number.

| Table 235A‑3—ICAO minimum runway width |
| --- |
| Code letter | A | B | C | D | E | F |
| Code number |  |
| 1 | 18 m | 18 m | 23 m | ‑ | ‑ | ‑ |
| 2 | 23 m | 23 m | 30 m | ‑ | ‑ | ‑ |
| 3 | 30 m | 30 m | 30 m | 45 m | ‑ | ‑ |
| 4 | ‑ | ‑ | 45 m | 45 m | 45 m | 60 m |

***maximum certificated take‑off weight***, for an aeroplane, means the maximum take‑off weight stated in the aeroplane’s type certificate, foreign type certificate, supplemental type certificate or foreign supplemental type certificate.

***reference field length***, for an aeroplane, means the shortest take‑off distance required for a take‑off by the aeroplane at its maximum certificated take‑off weight:

 (a) on a runway that is level and dry; and

 (b) in still air; and

 (c) in International Standard Atmosphere conditions at sea level.

***take‑off distance required***, for an aeroplane, means the take‑off distance for the aeroplane set out in the aeroplane’s flight manual.