



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX40/15

I, GERARD JOHN CAMPBELL, Executive Manager, Operations Division, a delegate of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)* and subsection 33 (3) of the *Acts Interpretation Act 1901*.

[Signed G.J. Campbell]

Gerard J. Campbell
Executive Manager
Operations Division

23 February 2015

Exemption — navigation and anti-collision lights (Aerorescue)

1 Duration

This instrument:

- (a) commences on 1 March 2015; and
- (b) expires at the end of February 2018, as if it had been repealed by another instrument.

2 Repeal

Instrument CASA EX14/12 is repealed.

3 Definition

In this instrument:

target aircraft means an aircraft that is being monitored for the purposes of border protection or surveillance.

4 Application

This instrument applies to Aerorescue Pty Limited, Aviation Reference Number 599914 (the *operator*), and pilots in command of the operator's Dornier D328 aircraft, when operating for the purposes of border protection or surveillance on behalf of an organisation mentioned in Schedule 1.

5 Exemption

The operator and the pilot in command of the operator's aircraft are exempt from complying with the requirements of:

- (a) clause 3 of Appendix V of Civil Aviation Order 20.18; and
- (b) subregulation 195 (1) of the *Civil Aviation Regulations 1988 (CAR 1988)*; and
- (c) subregulation 196 (3) of CAR 1988.

6 Conditions

The exemptions are subject to the conditions mentioned in Schedule 2.

Schedule 1 Organisations

Australian Federal Police
Police Force of an Australian State or Territory
Australian Defence Force
Australian Maritime Safety Authority
Australian Customs and Border Protection Service

Schedule 2 Conditions

- 1 The operator and pilot in command must ensure that, during an operation, the ELTA Radar System is operative at all times.
 - 2 The operator and pilot in command must ensure that the mission management system is serviceable.
 - 3 If in controlled airspace, the pilot in command of the operator's aircraft must not operate the aircraft with the lights off unless he or she has notified Air Traffic Control (*ATC*) of this using a prefix to his or her call sign or by another method that has been agreed upon between the pilot in command of the aircraft and ATC.
 - 4 Subject to clause 5, if outside a control area, the pilot in command of the operator's aircraft must not operate the aircraft with the lights off unless he or she is satisfied that there is no other aircraft within 10 nautical miles.
 - 5 In the case of target aircraft, whether inside or outside a control area, the pilot in command of the operator's aircraft must not operate the aircraft with the lights off within 3 nautical miles of the target aircraft.
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