Instrument number CASA EX158/17

I, GRAEME MILLS CRAWFORD, Aviation Group Manager, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the Civil Aviation Safety Regulations 1998.

**[Signed G.M. Crawford]**

Graeme M. Crawford
Aviation Group Manager

22 November 2017

Exemption – RNP 1 and RNP 2 alternate means of compliance – foreign registered aircraft

1 Duration

 This instrument:

(a) commences on 1 December 2017; and

(b) is repealed at the end of 30 November 2020.

2 Repeal

 Instrument CASA EX06/16 is repealed.

3 Definitions

 (1) In this instrument:

***applicable*** ***NAA***, for an exempted foreign aircraft, means the National Aviation Authority for the aircraft’s State of Registration or for the State of the Operator.

***CAO 20.91*** means *Civil Aviation Order 20.91 (Instructions and directions for performance-based navigation) Instrument 2014*.

***exempted foreign aircraft*** means a foreign registered aircraft:

(a) conducting an RNP 1 terminal instrument flight procedure within the Brisbane or Melbourne Flight Information Regions if the aircraft is not covered by an authorisation equivalent to an RNP 1 authorisation issued by an applicable NAA; or

(b) operating on an RNP 2 route into, out of, or within the Brisbane or Melbourne Flight Information Regions if the aircraft is not covered by an authorisation equivalent to an RNP 2 authorisation issued by an applicable NAA.

*Note*  The Brisbane and Melbourne Flight Information Regions are determined from time to time in the legislative instrument *Determination of airspace and controlled aerodromes etc* made under regulation 5 of the *Airspace Regulations 2007* and published on the Federal Register of Legislation (***FRL***). The current Determination instrument is CASA OAR 072/17, FRL reference F2017L01364.

 (2) In this instrument, the following terms have the same meaning as in CAO 20.91:

(a) GNSS;

(b) National Aviation Authority;

(c) P-RNAV;

(d) RNAV 1;

(e) RNAV 2;

(f) RNP 1;

(g) RNP 2;

(h) RNP AR;

(i) State of Registration;

(j) State of the Operator;

(k) TGL-10.

4 Exemption

 (1) If an exempted foreign aircraft is covered by a substitute authorisation issued by an applicable NAA, the operator of the aircraft is exempt from compliance with:

(a) paragraph 7.2 of CAO 20.91; and

(b) subregulation 11.255 (1) of CASR to the extent that it requires the operator to comply with the direction in paragraph 7.2 of CAO 20.91.

 (2) In this section, ***substitute authorisation*** means one of the following combinations of authorisations:

(a) RNP 1 together with:

 (i) RNAV 1 and RNAV 2; or

 (ii) P-RNAV;

(b) RNP-AR together with:

 (i) RNAV 1 and RNAV 2; or

 (ii) P-RNAV;

(c) P-RNAV with TGL-10, using GNSS as a primary navigation sensor;

(d) RNAV 1 and RNAV 2, using GNSS as a primary navigation sensor.

 (3) The exemption is subject to the conditions mentioned in section 5.

5 Conditions

 (1) At least 7 days before first using a type of aircraft for a flight in reliance on the exemption, the aircraft’s operator must notify CASA of its intention to conduct the flight in the type of aircraft using CASA Form 0667 as the form is published by CASA from time to time.

*Note*  CASA Form 0667 is currently entitled *Notification to operate aircraft on RNP 2 routes and/or RNP 1 procedures using equivalent navigation authorisations – foreign registered aircraft* and is available on the CASA website.

 (2) The aircraft’s operator must ensure the flight plan for each operation conducted in reliance on the exemption includes the following statement at item 18 of the flight plan: “RMK/CASA RNP AMC”.