

Civil Aviation Amendment Order (No. R72) 2004

I, WILLIAM BRUCE BYRON, Director of Aviation Safety, on behalf of CASA, issue the following Civil Aviation Order under subregulation 308 (1) of the *Civil Aviation Regulations 1988*.

[Signed Bruce Byron]

Bruce Byron
Director of Aviation Safety and
Chief Executive Officer

12 December 2004

1 Name of Order

This Order is the Civil Aviation Amendment Order (No. R72) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 95.23 of the Civil Aviation Orders

Section 95.23 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 95.23 of the Civil Aviation Orders

SECTION 95.23

EXEMPTION FROM SUBREGULATIONS 178 (1) AND (2) OF *THE CIVIL AVIATION REGULATIONS 1988* — FOR OFFSHORE AND COASTAL SURVEILLANCE AND SEARCH AND RESCUE OPERATIONS

1 APPLICATION

This section applies to offshore and coastal surveillance and search and rescue operations conducted on behalf of Australia.

2 DEFINITIONS

In this section:

coastal surveillance means littoral search and identification operations conducted up to 3 nautical miles seawards of the coast on behalf of Australia.

offshore surveillance means over water search and identification operations other than coastal surveillance operations.

3 EXEMPTION

- 3.1 Under regulation 308 of the *Civil Aviation Regulations 1988*, CASA exempts aircraft operated on behalf of Australia in offshore and coastal surveillance and search and rescue operations from compliance with subregulations 178 (1) and (2) of the *Civil Aviation Regulations 1988*.

4 CONDITIONS

- 4.1 Descent below lowest safe altitude shall not be commenced unless the pilot in command has determined that neither the Australian mainland nor obstacles having a greater height than 300 feet above sea level are within an area 20 nautical miles ahead of the aircraft along track and 5 nautical miles either side of track. Subsequent operations below lowest safe altitude at night shall be conducted no closer than 5 nautical miles from the Australian mainland and all obstacles having a height greater than 300 feet above sea level. These distances shall be in addition to tolerances applied to navigation equipment and techniques used to determine the aircraft's position before descent from lowest safe altitude.

- 4.2 Conditions applied to night offshore surveillance operations are as follows:
- (a) minimum altitude shall be 600 feet, derived from the lesser reading of:
 - (i) raft radar altimeter; and
 - (ii) the aircraft pressure altimeter set to the lowest forecast QNH for the area;
 - (b) the pilot in command shall be qualified for coastal surveillance operations. To conduct operations below lowest safe altitude, he shall have:
 - (i) a minimum of 100 hours experience as pilot in command or acting in command under supervision at night; and
 - (ii) a minimum of 10 hours experience as pilot in command or acting in command under supervision in night surveillance operations; and
 - (iii) conducted a night surveillance operation as pilot in command or acting in command under supervision within the preceding 60 days;
 - (c) the minimum crew for operations below lowest safe altitude at night shall consist of 2 pilots or 1 pilot and a trained radar observer;
 - (d) no persons, other than the operating crew, shall be carried during operations below lowest safe altitude. State and Commonwealth officers whose duties require them to take part in surveillance operations are included in the operating crew of the aircraft;
 - (e) before descent below lowest safe altitude, the pilot in command shall:
 - (i) establish the aircraft's position and ensure that it will remain clear of obstacles in accordance with paragraph 4.1 of this section; and
 - (ii) complete the low flying checklist; and
 - (iii) set the pressure altimeter to the lowest forecast QNH for the operating area;
 - (f) for operations below 1 500 feet above sea level:
 - (i) turns shall be limited to the lesser of 25 degrees angle of bank, rate one or radar altimeter unlock angle; and
 - (ii) maximum rate of descent shall be 500 feet per minute; and
 - (iii) minimum airspeed shall be $1.5 V_s$ for the aircraft configuration; and
 - (iv) flap setting shall be no greater than that recommended for take-off or manoeuvring;
 - (g) operations below lowest safe altitude shall not be conducted unless:
 - (i) instruments required in accordance with CAO section 20.18 Appendix IV are serviceable; and

- (ii) aircraft radar, radar altimeter and approved area navigation system are serviceable; and
 - (iii) a check of the accuracy of the approved area navigation system has been performed and, if necessary, the system updated over a radionavigation aid or visual waypoint within the preceding 60 minutes; and
 - (iv) V.M.C. exists below 2 000 feet above sea level;
- (h) operations below lowest safe altitude shall not be conducted or shall be discontinued immediately if:
- (i) any of the instruments required in accordance with CAO section 20.18 Appendix IV fail; and
 - (ii) the aircraft radar, radar altimeter or approved area navigation system fails; and
 - (iii) the approved area navigation system has reverted to dead reckoning since the last update waypoint or is found to exceed an 8 nautical mile tolerance at an update waypoint;
- (i) after visual investigation of a target, the aircraft is to initiate a climb to lowest safe altitude immediately.

4.3 Conditions applied to operations in cloud below lowest safe altitude by day are:

- (a) the minimum descent altitude for the purpose of obtaining visual reference below cloud shall be 1 000 feet above sea level, derived from the lesser reading of:
 - (i) the aircraft radar altimeter; and
 - (ii) the aircraft pressure altimeter set to the lowest forecast QNH for the operating area;
- (b) if visual reference is not obtained at 1 000 feet above sea level, or visibility below cloud is reduced to less than 5 000 metres, an immediate climb to lowest safe altitude shall be carried out;
- (c) the pilot in command shall be qualified for coastal surveillance operations;
- (d) for descent below lowest safe altitude and operations in cloud below 1 500 feet above sea level, the provisions of paragraphs 4.2 (d), (e), (f), (g) (i), (ii), (iii) and (h) of this subsection shall apply.

4.4 Before operating below lowest safe altitude by night or in cloud by day under the provisions of this section, an operator shall include in his operations manual all procedures applicable to these operations. Approval of this operations manual supplement shall be subject to satisfactory flight checking of these procedures by officers of the CASA.