EXPLANATORY STATEMENT

CIVIL AVIATION ACT 1988

CIVIL AVIATION REGULATIONS 1988

INSTRUCTIONS UNDER REGULATION 179A RELATING TO THE USE OF THE GLOBAL POSITIONING SYSTEM (GPS)

Section 98 of the Civil Aviation Act 1988 (the Act) provides that the Governor-General may make regulations for the purposes of the Act and in relation to the safety of air navigation.

Under subregulation 179A (1) of the Civil Aviation Regulations (CAR 1988), CASA may issue instructions in relation to Instrument Flight Rules (I.F.R.) flights specifying the method by which an aircraft is to be navigated and how a positive position fix is to be obtained.

Under subregulation 179A (3A) of CAR 1988, an instruction issued under subregulation 179A (1) is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901.

Instrument CASA 112/03 provides instructions as to when a pilot in command of an aircraft operating under the I.F.R. may use the GPS. The instrument details the procedures for using GPS for oceanic, remote area or domestic en-route phases of flight and the use of GPS for carrying out non-precision approach procedures. The instrument also provides guidance on operating without Receiver Autonomous Integrity Monitoring (RAIM) on the domestic en-route phase of a flight, as well as the use and supply of GPS derived distance information. The instructions clarify arrangements for GPS arrival procedures and for DME or GPS arrival procedures (procedures which allow the use of DME or GPS derived information).

Instrument CASA 112/03 revokes Instrument CASA 277/97 in order to update the GPS navigation equipment standards by including reference to new Technical Standard Orders issued by the Federal Aviation Administration of the United States of America.

However, in accordance with subregulation 179A (3) of CAR 1988, the instructions will not bind individuals until they are published in Aeronautical Information Publications (AIP) or Notices to Airmen (NOTAMS).

These instructions have been issued by the Director of Aviation Safety on behalf of CASA in accordance with subsection 84A (2) of the Act.

The instrument took effect on gazettal.

[Instrument Number:  CASA 112/03]