I, MICHAEL ROBERT TOLLER, Director of Aviation Safety, on behalf of CASA, having taken into account all relevant considerations relating to the interests of safety, under regulation 308 of the Civil Aviation Regulations 1988 (CAR 1988):

(1) revoke instrument CASA EX03/2003; and

(2) exempt the pilot in command of a seaplane taking off or landing on water from compliance with paragraphs 166 (1) (d), (f) and (g) of CAR 1988, but only in order to:
   (a) avoid an obstacle; or
   (b) without affecting the safety of air navigation — avoid undue noise over a populous area; or
   (c) enable the seaplane to make a water landing in the event of engine failure.

In spite of the exemption in paragraph (2), the pilot in command of a seaplane taking off or landing on water must comply, except in an emergency, with any directions given by Air Traffic Control.

In this instrument, seaplane means a float equipped aeroplane or floating hull aeroplane.

This instrument stops having effect at the end of January 2006.

[Signed M. Toller]

Mick Toller
Director of Aviation Safety

28 April 2003