EXEMPTION NUMBER: CASA EX21/2003

CIVIL AVIATION ACT 1988

CIVIL AVIATION REGULATIONS 1988

EXEMPTION FROM THE REQUIREMENTS OF PARAGRAPHS 83 (1) (c) AND (e), PARAGRAPH 83 (2) (b) AND SUBREGULATION 83 (3)

USE OF AIRCRAFT RADIOCOMMUNICATION SYSTEM IN FIRE FIGHTING OPERATIONS

I, BRUCE ROBERT GEMMELL, Acting Director of Aviation Safety, on behalf of CASA, under subregulation 308 (1) of the Civil Aviation Regulations 1988 (CAR 1988), having taken into account all relevant considerations relating to the interests of safety:

(a) revoke instrument CASA EX41/2002; and

(b) exempt the pilot in command of an Australian aircraft, in which a radiocommunication system approved under subregulation 82 (1) of CAR 1988 is installed, from compliance with the requirements of paragraphs 83 (1) (c) and (e) of CAR 1988 when engaged in fire prevention or fire fighting operations involving the New South Wales Rural Fire Service (NSW RFS); and

(c) exempt members and staff of NSW RFS from compliance with paragraph 83 (2) (b) of CAR 1988; and

(d) exempt aviation radio operators:
   (i) who are members or staff of the NSW RFS; and
   (ii) who, in the course of their duties, operate a radiocommunication system;
from compliance with subregulation 83 (3) of CAR 1988, when communicating with an aircraft referred to in paragraph (b).

Under subregulation 308 (3) of CAR 1988, the exemption is issued subject to compliance with the conditions specified in Schedule 1.

This exemption commences on gazettal and stops having effect at the end of 31 August 2006.
SCHEDULE 1

Conditions

1. Members and staff of the NSW RFS who, in the course of their duties, operate a radiocommunication system to which this exemption applies must have:
   (a) completed a prescribed NSW RFS training course including the use of radiocommunication systems; and
   (b) been assessed as competent by the Executive Director, Operations, of the NSW RFS, or his or her delegate.

2. Persons referred to in paragraph 1 must only use the aviation bandwidth VHF AM frequencies allocated to the NSW RFS by Airservices Australia and the Spectrum Management Authority.

3. Persons referred to in paragraph 1 must only use the allocated aviation bandwidth VHF AM frequencies for tactical aircraft-to-aircraft and air-to-ground communications during fire suppression and prevention operations.

[Signed B. Gemmell]

Bruce Gemmell
Acting Director of Aviation Safety

28 October 2003