EXEMPTION NUMBER: CASA 15/1999

CIVIL AVIATION ACT 1988
CIVIL AVIATION REGULATIONS 1988

EXEMPTION FROM PARAGRAPH 166 (1) (C)
OF THE CIVIL AVIATION REGULATIONS 1988

I, MICHAEL ROBERT TOLLER, Director of Aviation Safety, having taken into account all relevant considerations relating to the interests of safety, issue the following exemption under regulation 308 of the Civil Aviation Regulations 1988 (the Regulations).

EXEMPTION

If the procedures set out in the Schedule are complied with, the pilot in command of an aircraft equipped with a VHF radio, not being an aircraft to which CASA exemption number 14/1999 applies, is exempt from compliance with paragraph 166 (1) (c) of the Regulations while making a straight-in visual approach at a non-controlled aerodrome, if:

(a) the pilot in command complies with the conditions set out in the Schedule; and
(b) an MBZ radio frequency has been specified under regulation 99A of the Regulations in relation to the aerodrome.

In this exemption:

**MBZ radio frequency**, in relation to an aerodrome, means the very high radio frequency specified under regulation 99A of the Regulations as being the radio frequency for:

(a) communications between aircraft within the terminal airspace of the aerodrome; and
(b) communications between aircraft within the terminal airspace and the aerodrome.

**ground based radiocommunication service**, in relation to an aerodrome, means a radiocommunication service that:

(a) is operated, on the MBZ radio frequency by:
   (i) a certificate holder; or
   (ii) the aerodrome operator; or
   (iii) a person authorised for that purpose by a certificate holder or the aerodrome operator; and
(b) provides information about the wind direction and the runway or runways in use.
This exemption comes into effect on 1 May 1999 immediately after the commencement of subsection 5B of section 82.3, and subsection 5B of section 82.5, of the Civil Aviation Orders.

**SCHEDULE OF CONDITIONS**

1. The pilot in command must ensure that the aircraft is equipped with a serviceable VHF radio operating on the MBZ frequency.

2. As close as practicable to 15 nautical miles from the aerodrome, the pilot in command of the aircraft must make a broadcast on the MBZ frequency, stating the position of the aircraft and the pilot’s intention to carry out a straight-in approach.

3. Before starting a straight-in approach, the pilot in command of the aircraft must find out the wind direction and the runway or runways in use at the aerodrome from either:
   - (a) a ground based radiocommunication service; or
   - (b) radio contact with an agent of the aircraft operator; or
   - (c) radio contact with an aircraft operating at the aerodrome; or
   - (d) an automatic weather station; or
   - (e) if the information cannot be determined by any other means — visual observation.

4. The pilot in command of the aircraft must ensure that all manoeuvring to establish the aircraft on final approach is carried out beyond a radius of 5 nautical miles from the threshold of the runway intended to be used for the landing.

5. As close as practicable to 5 nautical miles from the aerodrome, the pilot in command of the aircraft must make a broadcast on the MBZ frequency:
   - (a) stating that the aircraft is on final approach; and
   - (b) nominating the runway to be used for landing.

6. The pilot in command of the aircraft must ensure that the aircraft’s landing lights, anti-collision lights, and strobe lights (if any), are illuminated at all times when the aircraft is less than 5 nautical miles from the aerodrome.

7. The pilot in command of the aircraft must:
   - (a) not start a straight-in approach to a particular runway of the aerodrome if another aircraft is flying in the usual traffic pattern and using the reciprocal direction of that runway; and
   - (b) give way to any other aircraft flying in the usual traffic pattern and established on base leg or final approach for any runway on the aerodrome.

**[Signed M. Toller]**

Mick Toller  
Director of Aviation Safety

28 April 1999