

EXEMPTION NUMBER: CASA EX09/2004

**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 RADIOCOMMUNICATION SYSTEMS IN FIRE FIGHTING  
OPERATIONS**

I, WILLIAM BRUCE BYRON, 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) 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 Department of Sustainability and Environment of Victoria (DSE) and the Country Fire Authority of Victoria (CFA); and
- (b) exempt members and staff of the DSE or CFA from compliance with paragraph 83 (2) (b) of CAR 1988; and
- (c) exempt aviation radio operators who:
  - (i) are members or staff of the DSE or CFA; and
  - (ii) 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 (a).

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 DSE or CFA who, in the course of their duties, operate a radiocommunication system to which this exemption applies must have:
  - (a) completed a prescribed DSE training course including the use of radiocommunication systems; and
  - (b) been assessed as competent by the Chief Fire Officer of the DSE, or his or her delegate.
2. Persons referred to in clause 1 must only use the aviation bandwidth VHF AM frequencies allocated to the DSE and CFA by Airservices Australia and the Spectrum Management Authority for use during fire fighting activities.
3. Persons referred to in clause 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 Bruce Byron]**

Bruce Byron  
Director of Aviation Safety and  
Chief Executive Officer

4 March 2004