

## **EXPLANATORY STATEMENT**

### **CIVIL AVIATION REGULATIONS 1988**

#### **CIVIL AVIATION ORDERS**

##### **REVOCATION AND REPLACEMENT OF SECTION 20.7.1B**

##### **AEROPLANE WEIGHT AND PERFORMANCE LIMITATIONS — AEROPLANES ABOVE 5 700 KG — ALL OPERATIONS (TURBINE AND PISTON ENGINED)**

Subregulation 235 (2) of the *Civil Aviation Regulations 1988* (CAR 1988) provides that the Civil Aviation Safety Authority (CASA) may give directions setting out the manner of determining a maximum weight for an aircraft, in respect of a proposed flight, which the gross weight of the aircraft must not exceed at take-off or landing.

Under subregulation 235 (2) of CAR 1988, section 20.7.1B of the Civil Aviation Orders contained take-off and landing limitations in respect of all turbine powered aeroplanes, and new types of piston engine aeroplanes placed on the Aircraft Register after 1 June 1963, that have a maximum permissible all-up weight in excess of 5 700 kg. The limitations, which were used to determine the maximum permissible weight for a particular operation, required reference to matters such as the take-off distance or landing distance available and the take-off distance or stopping distance required in the ambient conditions, the performance of the aircraft in the ambient conditions, including its climb performance, and the minimum height required for safe obstacle clearance.

This Order revokes and remakes section 20.7.1B. This has been done as part of a scheme to review the Civil Aviation Orders, and, in particular, to ensure that they are in a position to meet the technical requirements of the *Legislative Instruments Act 2003* when it comes into effect on 1 January 2005. The remake does not involve any changes in existing law or policy in the Order. The Order is being remade solely for the purpose of ensuring compliance and consistency with the *Legislative Instruments Act 2003* when it commences on 1 January 2005. However, the opportunity has been taken to update outdated references to legislation in the Order and to introduce gender-neutral wording into the Order.

The Office of Regulation Review has stated that a Regulation Impact Statement is not necessary because the remake is of a minor or machinery nature.

The Order has been issued by the Director of Aviation Safety in accordance with subsection 84A (2) of the *Civil Aviation Act 1988*.

This Order came into effect on gazettal.