



Australian Government

Civil Aviation Safety Authority

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 172.022 of the *Civil Aviation Safety Regulations 1998*.

[Signed John F. McCormick]

John F. McCormick
Director of Aviation Safety

18 April 2011

Manual of Standards Part 172 Amendment Instrument (No. 1) 2011

1 Name of instrument

This instrument is the *Manual of Standards Part 172 Amendment Instrument (No. 1) 2011*.

2 Commencement

This instrument commences as follows:

- (a) on the day after it is registered — sections 1, 2, 3 and 4, and Schedule 1 (except Amendment No. 7) and Schedule 2;
- (b) on 2 June 2011 — Amendment No. 7 in Schedule 1.

3 Amendment of the Manual of Standards Part 172

Schedule 1 amends Manual of Standards Part 172 (*MOS Part 172*).

4 Confirmation of numbering of MOS Part 172

To avoid doubt, each provision in MOS Part 172, contained in the compilation on the Federal Register of Legislative Instruments in force immediately before the commencement of this instrument, and whose number is listed in Schedule 2, is taken to have the number that appears for it in the compilation.

Note Under subsection 22 (2) of the *Legislative Instruments Act 2003*, a compilation relating to a legislative instrument that is included in the Federal Register of Legislative Instruments is to be taken, **unless the contrary is proved**, to be a complete and accurate record of that legislative instrument as amended and in force at the date specified in the compilation. On consolidation of certain past amendments into the compilation known as Manual of Standards Part 172, the numbers of some provisions in Chapters 10 and 11 were changed without express legislative authority. This amendment is intended to remove any doubt that the numbering of the relevant provisions is lawfully as shown in the current compilation of the MOS.

Schedule 1 Amendments

[1] After subsection 1.1.6

insert heading

Section 1.2: Abbreviations and Definitions

[2] Paragraph 1.1.7.1

after

NUC_P Navigational uncertainty category — position

insert

PRF Positive radio fix

[3] Section 1.1: General, renumbering

renumber the provisions mentioned in column A of the following table with the corresponding new number in column B of the table

A old number	B new number
1.1.7	1.2.1
1.1.7.1	1.2.1.1

[4] Section 1.2: Definitions, heading

omit heading

[5] Subsection 1.2.1: Introduction, heading

substitute

1.2.2: Definitions

[6] Subsection 1.2.2: Definitions

renumber the provision mentioned in column A of the following table with the corresponding new number in column B of the table

A old number	B new number
1.2.1.1	1.2.2.1

[7] After subsection 10.3.2

insert

10.3.3 Implementation of low visibility procedures

10.3.3.1 For a controlled aerodrome, ATC must implement low visibility procedures (**LVP**) if:

- (a) the visibility on any part of the aerodrome is insufficient for ATC to exercise control over all traffic on the basis of visual surveillance; or

- (b) the cloud ceiling is less than 200 ft; or
- (c) the visibility on any part of the aerodrome is less than 800 m.

Note When LVP are implemented, the aerodrome operator is required to complete all operator preparations necessary for LVP to commence, and confirm to ATC that these preparations are complete. See also section 10.17.3 of Manual of Standards Part 139.

10.3.3.3 ATC must inform pilots that LVP are in force, provided:

- (a) ATC has verified that all LVP measures at the aerodrome are in place; and
- (b) for an aerodrome conducting precision approach Category II or III operations or localiser-guided take-offs — procedures are in place to safeguard ILS critical and sensitive areas, or ILS localiser critical and sensitive areas in accordance with subsection 10.3.4.6 or 10.3.4.7.

10.3.4 Protecting ILS critical and sensitive areas

10.3.4.1 ATC must not permit a vehicle or personnel within the relevant ILS critical areas during ILS operations.

10.3.4.2 Subject to 10.3.4.3, ATC must not permit an aircraft to be within the relevant ILS critical area if:

- (a) the cloud ceiling is at, or below, 600 ft; or
- (b) the visibility is 2 000 m or less.

Notes

1. The **relevant ILS critical area** means either the critical area appropriate to the largest aircraft that uses the aerodrome, or the critical area appropriate to the particular size and shape of the aircraft or vehicle.
2. An aircraft taking off and passing over the relevant localiser is not taken to be penetrating the relevant localiser critical area.

10.3.4.3 Subject to 10.3.4.4, an aircraft may enter an ILS critical area:

- (a) without ATC clearance, while landing or vacating a runway after landing; or
- (b) under ATC clearance, provided:
 - (i) an approaching aircraft has not passed the ILS outer marker; or
 - (ii) if an outer marker is not available — an approaching aircraft is not within 4 nm of the landing runway threshold.

10.3.4.4 If an aircraft penetrates the critical area when the cloud ceiling is at, or below, 600 ft, or the visibility is 2 000 m or less, ATC must broadcast an appropriate warning to:

- (a) any approaching aircraft that have passed the ILS outer marker; or
- (b) if an outer marker is not available — any approaching aircraft that are within 4 nm of the landing runway threshold.

10.3.4.5 For subsection 10.3.4.4, **appropriate warning** means a warning that there may be ILS signal disturbance due to aircraft penetration of an ILS critical area.

10.3.4.6 If:

- (a) precision approach Category II or III operations are conducted at an aerodrome; and

(b) the cloud ceiling is below 200 ft, or the visibility is less than 550 m;

then:

- (c) for the **ILS critical area** — once an arriving aircraft has passed the ILS outer marker or, if an outer marker is not available, is within 4 nm of the landing runway threshold, ATC must not permit other aircraft or any vehicle within the relevant ILS localiser or glidepath critical areas; and
- (d) for **ILS sensitive areas** — once an arriving aircraft is within 2 nm of the landing runway threshold, ATC must not permit other aircraft or any vehicle within the relevant ILS sensitive area.

10.3.4.7 If an aerodrome that supports a relevant aircraft's localiser-guided take-off has visibility of less than 550 m, ATC must not permit another aircraft or vehicle within the applicable ILS localiser critical and sensitive areas from the time the relevant aircraft has been cleared for take-off until it has completed its take off.

Note Pilots are required to notify ATC of an intention to conduct a guided take-off at start up.

10.3.5 Informing pilots when critical and sensitive areas are not protected

10.3.5.1 If:

- (a) ATC is not protecting an ILS critical or sensitive area according to subsections 10.3.4.6 or 10.3.4.7; and
- (b) an aircraft advises that an operation mentioned in subsection 10.3.5.2 is to be conducted;

ATC must inform the pilot in command of the aircraft that the relevant ILS critical or sensitive area is not being protected.

10.3.5.2 The operations are;

- (a) any approach with minima less than Category I; or
- (b) autoland procedures; or
- (c) localiser-guided take-off; or
- (d) an operation similar to one mentioned in paragraphs (a) to (c).

[8] Paragraph 10.8.2.2 (d)

omit

positive radio fix ()

insert

positive radio fix

[9] Subparagraph 10.8.2.2 (e) (i)

omit

PRF

insert

positive radio fix

Schedule 2 Confirmation of numbering of MOS Part 172

Item	Provision Number
1	10.3.2.1
2	10.3.2.2
3	10.3.2.3
4	10.3.2.4
5	10.3.2.5
6	10.6.9.4
7	10.13.8
8	11.1.1
9	11.1.1.1
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14	11.1.2.2
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20	11.1.4.2
21	11.1.4.3
22	11.1.4.4
23	11.1.4.5
24	11.1.4.6