

PART 139 Aerodromes

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Subpart 139.A General

139.005 Applicability of this Part

This Part deals with the operation of aerodromes and includes rules about the following matters:

- (a) certification of aerodromes and the requirements that apply to operators of certified aerodromes;
- (b) registration of aerodromes and the requirements that apply to operators of registered aerodromes;
- (c) reporting officer and safety inspection requirements that apply to operators of certain other aerodromes used for regular public transport operations or charter operations;
- (d) obstacles and hazards at aerodromes;
- (e) obligations of aerodrome operators in relation to radio communication services and rescue and fire fighting services.

139.010 Definitions for this Part

In this Part (other than [Subpart 139.H](#)):

Manual of Standards means the document called ‘Manual of Standards (MOS) – [Part 139 Aerodromes](#)’ published by CASA, as in force from time to time.

MBZ means mandatory broadcast zone.

139.015 Standards for aerodromes

The standards for aerodromes are those set out in the Manual of Standards.

139.020 Exemptions

- (1) CASA may, by instrument, exempt an aerodrome operator from compliance with specified provisions of this Part or specified standards set out in the Manual of Standards.
- (2) Before exempting an aerodrome operator, CASA must take into account any relevant considerations relating to the interests of the safety of air navigation.
- (3) An exemption is subject to the operator complying with any conditions that CASA specifies in the instrument as being necessary in the interests of the safety of air navigation.
- (4) The operator must comply with a condition specified in the instrument.

Penalty: 10 penalty units.

139.025 Access to aerodromes

- (1) The operator of a certified aerodrome or a registered aerodrome must allow CASA to conduct tests of aerodrome facilities, equipment or operating procedures at the aerodrome for the purpose of ensuring the safety of aircraft.
- (2) The operator must allow CASA access to any part of the aerodrome or any aerodrome facilities, equipment or records for the purposes of subregulation (1).
- (3) CASA:
 - (a) must give reasonable notice of any tests to be conducted to the operator; and
 - (b) must carry out the tests at a reasonable time.
- (4) Subregulations (1) and (2) do not limit the operation of regulation 305 of CAR.

139.030 Aerodromes with non-precision approach runways to be certified or registered

- (1) A person must not operate an aerodrome to which subregulation (3) applies if the aerodrome is not a certified aerodrome or a registered aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) This subregulation applies to an aerodrome that:
 - (a) is available for public use; and
 - (b) has a non-precision approach runway.

139.035 No effect on operation of *Airports (Building Control) Regulations 1996* etc

Nothing in this Part affects the operation of the *Airports (Building Control) Regulations 1996*, the *Airports (Protection of Airspace) Regulations 1996* or the *Airports (Control of On-Airport Activities) Regulations 1997*.

139.036 *Revoked by SR 2004 No. 345.*

Subpart 139.B Certified aerodromes

Division 139.B.1 Aerodrome certificate

139.040 When an aerodrome certificate is required

- (1) A person must not operate an aerodrome to which subregulation (3) applies if the aerodrome is not a certified aerodrome.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) This subregulation applies to an aerodrome that:
 - (a) has a runway that is suitable for use by aircraft having:
 - (i) a maximum passenger seating capacity of more than 30 seats; or
 - (ii) a maximum carrying capacity of more than 3 400 kilograms; and
 - (b) is available for use in regular public transport operations or charter operations by such aircraft.

Note A person must not operate an aerodrome that is available for public use and has a non-precision approach runway if the aerodrome is not a certified aerodrome or a registered aerodrome (see regulation [139.030](#)).

139.045 Application for aerodrome certificate

- (1) A person may apply to CASA for an aerodrome certificate authorising the person to operate an aerodrome at the place specified in the application.
- (2) The application must be in the approved form.

Note A person who operates an aerodrome for which an aerodrome certificate is not required may apply for an aerodrome certificate.

139.050 Grant of aerodrome certificate

CASA must grant an aerodrome certificate to an applicant under regulation [139.045](#) if:

- (a) the aerodrome's facilities and equipment are in accordance with the standards specified in the Manual of Standards for a certified aerodrome; and
- (b) the aerodrome's operating procedures make satisfactory provision for the safety of aircraft; and
- (c) an aerodrome manual, in accordance with regulation [139.095](#), has been prepared for the aerodrome; and
- (d) the applicant would, if the certificate is granted, be able properly to operate and maintain the aerodrome.

139.055 Notice of refusal to grant aerodrome certificate

If CASA refuses to grant an aerodrome certificate to an applicant, CASA must give the applicant written notice of the refusal, and the reasons for it, no later than 14 days after CASA refuses to grant the certificate.

139.060 Aerodrome certificate may be subject to conditions

- (1) CASA may grant an aerodrome certificate subject to any condition that CASA considers necessary in the interests of the safety of aircraft.
- (2) If CASA decides to grant an aerodrome certificate subject to a condition, CASA must give the applicant written notice of the reasons for the decision.
- (3) A condition must be set out on the certificate or in the notice given to the applicant under subregulation (2).
- (4) An aerodrome operator must not contravene a condition of the operator's aerodrome certificate.

Penalty: 25 penalty units.

139.065 Duration of aerodrome certificate

- (1) An aerodrome certificate remains in force unless it is cancelled.
- (2) However, the certificate is not in force during any period in which it is suspended.

139.070 Suspension or cancellation by CASA

- (1) CASA may, by written notice given to the holder of an aerodrome certificate, suspend or cancel the certificate if there are reasonable grounds for believing that:
 - (a) a condition to which the certificate is subject has been breached;
or
 - (b) the aerodrome facilities, operations or maintenance are not of the standard necessary in the interests of the safety of air navigation;
or
 - (c) the holder has failed to comply with regulation [139.025](#).
- (2) Before suspending or cancelling an aerodrome certificate, CASA must:
 - (a) give to the holder a show cause notice that:
 - (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and
 - (ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or cancelled; and

- (b) take into account any written submissions that the holder makes to CASA within the time allowed under subparagraph (a) (ii).

139.075 Cancellation at request of holder

- (1) If the holder of an aerodrome certificate wishes the certificate to be cancelled, the holder must give CASA not less than 30 days' written notice of the date on which the holder wishes the certificate to be cancelled.
- (2) CASA must cancel the certificate on the date specified in the notice.

139.080 Aerodrome certificate not transferable

An aerodrome certificate is not transferable.

139.085 Temporary aerodrome certificate

- (1) CASA may grant a temporary aerodrome certificate to an applicant under regulation [139.045](#) if:
 - (a) the applicant's application is for a certificate to operate an aerodrome for which an existing aerodrome certificate is in force; and
 - (b) the holder of the existing aerodrome certificate has given CASA notice under regulation [139.075](#) for the certificate to be cancelled; and
 - (c) the cancellation of the existing aerodrome certificate will have effect before CASA can fully consider the applicant's application; and
 - (d) CASA is satisfied that the applicant will be able to properly operate and maintain the aerodrome for the duration of the temporary certificate.
- (2) A temporary aerodrome certificate must not be granted for a period of longer than 60 days.

Division 139.B.2 Aerodrome manual

139.090 Preparation and location of aerodrome manual

- (1) The operator of a certified aerodrome must have an aerodrome manual, in accordance with regulation [139.095](#), for the aerodrome.

Penalty: 10 penalty units.

- (2) The operator must give CASA a copy of the manual and must keep another copy at the operator's principal place of business or at the aerodrome.

Penalty: 10 penalty units.

- (3) The operator must make the copy of the manual kept at the operator's principal place of business or at the aerodrome available to authorised persons during normal business hours.

Penalty: 10 penalty units.

- (4) Strict liability applies to the physical element of an offence against subregulation (1) that the operator is required to have an aerodrome manual for the aerodrome.

- (5) An offence against subregulation (2) or (3) is an offence of strict liability.

139.095 Information to be included in aerodrome manual

For subregulation [139.090](#) (1), the aerodrome manual must include:

- (a) the following information, to the extent that the information is applicable to the aerodrome:
- (i) the particulars of the aerodrome site mentioned in Appendix 1 to this subparagraph;
 - (ii) the particulars of the aerodrome administration and operating procedures mentioned in Appendix 1 to this subparagraph;
 - (iii) the particulars of the aerodrome to be notified in AIP-ERSA, mentioned in Appendix 1 to this subparagraph;
 - (iv) particulars of any condition to which the operator's aerodrome certificate is subject;
 - (v) particulars of any direction given to the operator by CASA under regulation [139.105](#); and
- (b) if particular information referred to in paragraph (a) is not included in the manual because it is not applicable to the aerodrome:
- (i) a statement to the effect that the information is not applicable; and
 - (ii) the reasons why it is not applicable; and

- (c) if CASA gives the operator an exemption under regulation [139.020](#) in relation to the aerodrome:
 - (i) any identifying number given to the exemption by CASA; and
 - (ii) the date on which the exemption came into effect; and
 - (iii) any condition subject to which the exemption is granted.

Appendix 1 to subparagraph [139.095 \(a\) \(i\)](#) (Particulars of the aerodrome site)

Aerodrome site

For subparagraph [139.095 \(a\) \(i\)](#), the particulars are as follows:

- (a) a plan of the aerodrome showing the main aerodrome facilities, including the wind direction indicators, for the operation of the aerodrome;
- (b) a plan of the aerodrome showing the aerodrome boundaries;
- (c) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome;
- (d) either:
 - (i) particulars of title of the aerodrome site; or
 - (ii) if the boundaries of the aerodrome are not defined in the documents of title — the particulars of the title to, or interests in, the property on which the aerodrome is located and a plan showing the boundaries and position of the aerodrome.

Appendix 1 to subparagraph [139.095 \(a\) \(ii\)](#) (Particulars of the aerodrome administration and operating procedures)

For subparagraph [139.095 \(a\) \(ii\)](#), the particulars are as follows:

Aerodrome administration

- (a) particulars of the aerodrome administration including the following:
 - (i) the organisational structure;
 - (ii) the management positions responsible for the operation and maintenance of the aerodrome;
 - (iii) contact details of the person who is the aerodrome manual controller;
 - (iv) contact details for the main persons responsible for aerodrome operations and safety functions;

Aerodrome emergency plan

- (b) particulars of the aerodrome emergency plan, including details of the following:

- (i) the composition of the aerodrome emergency committee and contact details for the emergency service organisations represented on the committee;
- (ii) a description of the role of each emergency service organisation involved in the plan;
- (iii) the activation, control and coordination of the emergency service organisations during an emergency;
- (iv) the aerodrome's emergency facilities and arrangements for keeping them in readiness;
- (v) the operational response to an emergency, including arrangements for aerodrome access and assembly areas;
- (vi) the response to a local stand-by call out;
- (vii) the response to a full emergency call out;
- (viii) the arrangements to return the aerodrome to operational status after an emergency;
- (ix) the arrangements for periodic review and testing of the aerodrome emergency plan;

Aerodrome lighting

- (c) particulars of the procedures for the inspection and maintenance of the aerodrome lighting (including obstacle lighting) and the supply of stand-by power (if any), including details of the following:
 - (i) the arrangements for carrying out inspections and the checklist for inspections;
 - (ii) the arrangements for recording the results of inspections and for taking follow-up action to correct deficiencies;
 - (iii) the arrangements for switching lights on and off, including back-up arrangements for pilot-activated lighting;
 - (iv) the arrangements for carrying out routine maintenance and emergency maintenance;
 - (v) the arrangements for stand-by power, if any, and, if applicable, particulars of any other method of dealing with partial or total system failure;
 - (vi) the names and roles of the persons who are responsible for the inspection and maintenance of the lighting and the telephone numbers for contacting them during and after working hours;

Aerodrome reporting

- (d) particulars of the procedures for reporting any changes to the aerodrome information set out in AIP and procedures for requesting the issue of NOTAMS, including details of the following:
 - (i) the arrangements for reporting any changes that may affect aircraft operations to AIS and local air traffic services and recording the reporting of changes during and outside the normal hours of aerodrome operation;

- (ii) the contact details for the persons and organisations to which changes are to be reported;
- (iii) the name of the reporting officer responsible for reporting the changes and the telephone numbers for contacting him or her during and after working hours;
- (iv) the arrangements for reporting changes of aerodrome information published in AIP to AIS and CASA;
- (v) the arrangements for keeping records of reports made;

Unauthorised entry to aerodrome

- (e) particulars of the procedures for preventing the unauthorised entry of persons, vehicles, equipment, plant or animals, or other things that may endanger aircraft safety, into the movement area, including details of the following:
 - (i) the arrangements for controlling airside access;
 - (ii) the names and roles of the persons who are responsible for controlling access to the movement area and the telephone numbers for contacting them during and after working hours;

Aerodrome serviceability inspections

- (f) particulars of the procedures for carrying out aerodrome serviceability inspections, including details of the following:
 - (i) the arrangements for carrying out the inspections during and after working hours;
 - (ii) details of the intervals at which the inspections are carried out and the times of the inspections;
 - (iii) the arrangements for keeping an inspection logbook and the place where the logbook is kept;
 - (iv) details of the inspection checklist;
 - (v) the arrangements for communicating with air traffic control during the inspections;
 - (vi) the arrangements for reporting the results of the inspections and for taking prompt follow-up action to ensure correction of unsafe conditions;
 - (vii) the names and roles of the persons who are responsible for carrying out the inspections and the telephone numbers for contacting them during and after working hours;

Aerodrome technical inspections

- (g) particulars of the procedures for carrying out aerodrome technical inspections, including details of the following:
 - (i) the items that need to be technically inspected and when the inspections are to be carried out;
 - (ii) the arrangements for technically qualified people to carry out the technical inspections;
 - (iii) the arrangements for recording the results of the inspections and for taking prompt follow-up action to ensure correction of defects;

Aerodrome works safety

- (h) particulars of the procedures for planning and safely carrying out aerodrome works (including works that may have to be carried out at short notice), including details of the following:
 - (i) the preparation of a method-of-working plan identifying areas of the aerodrome affected during each stage of the work and steps taken to ensure safety standards are met;
 - (ii) the distribution list for the method-of-working plan;
 - (iii) the arrangements for telling aircraft operators and other aerodrome users of the method-of-working plan and the telephone numbers for contacting those operators and users during and after working hours;
 - (iv) the arrangements for communicating with air traffic control and aircraft during the carrying out of the works;
 - (v) the arrangements for carrying out time-limited works;
 - (vi) the names, telephone numbers and roles of the persons and organisations responsible for planning and carrying out the works, and the arrangements for contacting those persons and organisations at all times;

Aircraft parking control

- (i) particulars of the procedures for aircraft parking control, if established, including details of the following:
 - (i) the arrangements between air traffic control and apron management;
 - (ii) the arrangements for allocating aircraft parking positions;
 - (iii) the arrangements for initiating engine start and ensuring clearances for aircraft push-back;
 - (iv) an inventory and description of the activation and deactivation of any visual docking guidance system used at the aerodrome;
 - (v) the marshalling service;
 - (vi) the leader (van) service or follow-me service;
 - (vii) the names, telephone numbers and roles of the persons responsible for planning and implementing aircraft parking control;

Airside vehicle control

- (j) if procedures have been established at the aerodrome for the control of surface vehicles operating on or near the movement area, particulars of those procedures, including details of the following:
 - (i) the applicable traffic rules (including speed limits) and the means of enforcement of the rules;
 - (ii) the method of instructing and testing drivers in relation to the applicable traffic rules;
 - (iii) the names, telephone numbers and roles of the persons who are responsible for airside vehicle control;

Bird and animal hazard management

- (k) particulars of the procedures to deal with danger to aircraft operations caused by the presence of birds or animals on or near the aerodrome, including details of the following:
 - (i) the arrangements for assessing any bird or animal hazard;
 - (ii) the arrangements for the removal of any bird or animal hazard;
 - (iii) the names and roles of the persons responsible for dealing with bird or animal hazards, and the telephone numbers for contacting them during and after working hours;

Obstacle control

- (l) particulars of the following:
 - (i) the procedures for monitoring the obstacle limitation surfaces and the Type A chart take-off surface for obstacles;
 - (ii) the procedures for monitoring building developments (in relation to the height of buildings and other structures) within the horizontal limits of the obstacle limitation surfaces;
 - (iii) if the aerodrome has instrument approach procedures — the procedures for monitoring for new objects or building developments in any other areas nominated by the instrument procedure designers;
 - (iv) the arrangements between CASA, local planning authorities and other relevant organisations in relation to the approval of building developments that may infringe the obstacle limitation surfaces;
 - (v) the names, telephone numbers and roles of the persons responsible for planning and implementing obstacle control;

Disabled aircraft removal

- (m) particulars of the procedures for removing an aircraft that is disabled on or near the movement area, including details of the following:

- (i) the roles of the aerodrome operator and the holder of the aircraft's certificate of registration;
- (ii) the arrangements for telling the holder of the certificate of registration;
- (iii) the arrangements for liaising with air traffic control and the Australian Transport Safety Bureau;
- (iv) the arrangements for obtaining equipment and persons to remove the aircraft;
- (v) the names and roles of the persons who are responsible for arranging for the removal of an aircraft which is disabled, and the telephone numbers for contacting them during and after working hours;

Handling of hazardous materials

- (n) particulars of the procedures for the safe handling of hazardous materials on the aerodrome, including details of the following:
 - (i) the names, telephone numbers and roles of the persons who are to receive and handle hazardous materials;
 - (ii) the arrangements for special areas on the aerodrome to be set up for the storage of flammable liquids (including aviation fuels) and any other hazardous materials;
 - (iii) the methods to be followed for the delivery, storage, dispensing and handling of these materials;

Note 1 Hazardous materials include explosives, flammable liquids and solids, corrosive liquids, compressed gases, and magnetised or radioactive materials.

Note 2 The arrangements to deal with an accidental spillage of hazardous materials are to be set out in the aerodrome emergency plan.

Protection of radar and navigational aids

- (o) particulars of the procedures for the protection of radar and navigational aids located on the aerodrome to ensure that their performance will not be degraded, including details of the following:
 - (i) the arrangements for the control of activities near radar and navigational aid installations;
 - (ii) the arrangements, made in consultation with the provider of the navigational aid installation, for the supply and installation of signs warning of hazardous microwave radiation;
 - (iii) the arrangements for ground maintenance near these installations;

Low visibility operations

- (p) particulars of the procedures for the management of ground activities at an aerodrome where low visibility operations are conducted, including details of the following:
 - (i) the arrangements for measuring visibility along a runway and passing the information to air traffic control, if required;

- (ii) the arrangements for minimising vehicular traffic within the movement area during periods of low visibility operations;
- (iii) the arrangements for runway inspections during periods of low visibility operations;
- (iv) the names and roles of the persons who are responsible for managing low visibility operations, and the telephone numbers for contacting them during and after work hours.

Appendix 1 to subparagraph 139.095 (a) (iii) (Particulars of the aerodrome to be notified in AIP-ERSA)

For subparagraph 139.095 (a) (iii), the particulars are:

General information

- (a) the following general information about the aerodrome:
 - (i) the name of the aerodrome;
 - (ii) the State or Territory where the aerodrome is located;
 - (iii) the geographic coordinates of the aerodrome reference point;
 - (iv) the elevation of the aerodrome, based on the Australian Height Datum;
 - (v) details of the aerodrome beacon;
 - (vi) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times; and

Information for runways

- (b) the following information for each runway at the aerodrome:
 - (i) the magnetic bearing of the runway and the runway number;
 - (ii) the runway reference code number for the approach and take-off areas that have been surveyed;
 - (iii) the length, width and slopes of the runway;
 - (iv) the length and width of the graded and overall runway strip;
 - (v) the pavement surface type and its strength rating;
 - (vi) the runway declared distances and take-off gradient;
 - (vii) the supplementary take-off distances;
 - (viii) the Aerodrome Obstacle Chart Type A, if applicable; and

Information about visual aid systems

- (c) the following information about visual aid systems at the aerodrome:
 - (i) the type of runway lighting and the stand-by power, if any, for that lighting;
 - (ii) the type of approach lighting;
 - (iii) the visual approach slope indicator system, if any;
 - (iv) a description of the visual docking guidance systems at any aprons used by aircraft conducting international operations, and the aircraft parking positions where the systems are installed; and

Local information

- (d) the following local information about the aerodrome:
 - (i) the hours of operation, if applicable;
 - (ii) the available ground services;
 - (iii) any special procedures;
 - (iv) any local precautions.

139.100 Form of aerodrome manual

- (1) The operator of a certified aerodrome must keep the copies of the aerodrome manual for the aerodrome in a printed form.

Penalty: 10 penalty units.

- (2) Other copies of the manual may be kept in an electronic form.
- (3) If CASA approves, the manual may consist of more than 1 document.
- (4) The operator must keep the manual in a way that tells a person reading the manual:
 - (a) when changes have been made to the information in the manual; and
 - (b) whether the manual is up-to-date.

Penalty: 10 penalty units.

- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

139.105 Amendments of aerodrome manual

- (1) The operator of a certified aerodrome must amend the aerodrome manual for the aerodrome, whenever it is necessary to do so, to maintain the accuracy of the manual.

Penalty: 10 penalty units.

- (2) To maintain the accuracy of the aerodrome manual, CASA may give written directions to the operator requiring the operator to amend the manual in accordance with the direction.
- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.110 Notice of amendments

- (1) The operator of a certified aerodrome must tell CASA, in writing, of any amendment that the operator makes to the aerodrome manual for the aerodrome within 30 days after the amendment is made.

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

139.115 Aerodrome manual controller

- (1) The operator of a certified aerodrome must appoint a person to be the aerodrome manual controller for the aerodrome's aerodrome manual.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of the aerodrome manual controller are to ensure that:
 - (a) a record is kept of the persons who hold copies of the whole or a part of the aerodrome manual; and
 - (b) updates of information for the manual are distributed to those persons.

Division 139.B.3 Operation and maintenance of a certified aerodrome

139.120 Care and diligence in operation and maintenance

The operator of a certified aerodrome must ensure that the aerodrome is operated and maintained with a reasonable degree of care and diligence.

Penalty: 20 penalty units.

139.125 Reporting officer

- (1) The operator of a certified aerodrome must appoint 1 or more reporting officers for the aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The functions of a reporting officer are:
 - (a) to monitor the serviceability of the aerodrome; and
 - (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under subregulation [139.155](#) (1).
- (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Penalty: 10 penalty units.

139.130 Works safety officer for aerodrome works other than time-limited works

- (1) If aerodrome works (other than time-limited works) are being carried out at a certified aerodrome, the operator of the aerodrome must appoint 1 or more persons as works safety officers for the aerodrome works.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The function of a works safety officer is to ensure aerodrome safety while the aerodrome works are being carried out.
- (4) The operator must not appoint a person as a works safety officer for the aerodrome works if the person has not been trained, in accordance with the Manual of Standards, to perform the works safety officer's function.

Penalty: 10 penalty units.

139.135 Works safety officer for time-limited works

If time-limited works are being carried out at a certified aerodrome, the operator of the aerodrome must ensure that a person who has been trained, in accordance with the Manual of Standards, to perform the function of a works safety officer performs that function for those works.

Penalty: 10 penalty units.

139.140 Training of aerodrome personnel

The operator of a certified aerodrome must ensure that all personnel of the operator are trained in accordance with the standards for training aerodrome personnel set out in the Manual of Standards.

Penalty: 20 penalty units.

139.145 Aerodrome manual procedures

- (1) Subject to any directions issued under subregulation (2), the operator of a certified aerodrome must operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual for the aerodrome.

Penalty: 25 penalty units.

- (2) CASA may direct the operator of a certified aerodrome to change the procedures set out in the aerodrome manual, if CASA considers it necessary in the interests of the safety of aircraft.
- (3) An operator must comply with a direction given to the operator under subregulation (2).

Penalty: 25 penalty units.

139.150 Notice of deviation

- (1) This regulation applies if a deviation from a procedure set out in the aerodrome manual for a certified aerodrome is made to ensure the safety of aircraft.
- (2) The operator of the aerodrome must tell CASA, in writing, of the deviation **within** 30 days after the deviation was made.

Penalty: 5 penalty units.

- (3) An offence against subregulation (2) is an offence of strict liability.

139.155 Notice of changes in physical condition etc of aerodrome

- (1) The operator of a certified aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:
 - (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; and

- (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.

Penalty: 10 penalty units.

- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

Penalty: 10 penalty units.

139.160 Notice of changes in information published in AIP-ERSA

- (1) To maintain the accuracy of the information published in AIP-ERSA in relation to a certified aerodrome, the operator of the aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

Penalty: 5 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

139.165 Physical characteristics of movement area

The operator of a certified aerodrome must ensure that the physical characteristics of the movement area comply with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

139.170 Aerodrome markings

- (1) The operator of a certified aerodrome must mark the following areas of the aerodrome in accordance with the standards set out in the Manual of Standards:

- (a) the movement area;
- (b) any unserviceable area;
- (c) any works area on or near the movement area.

Penalty: 10 penalty units.

- (2) The operator must ensure that all aerodrome markings are maintained in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (3) In this regulation:

unserviceable area means a part of the movement area that is unavailable for use by aircraft.

works area means a part of the aerodrome in which maintenance or construction works are in progress that may endanger the safety of aircraft.

139.175 Signal area

- (1) The operator of a certified aerodrome that does not have a continuous air traffic service provided by air traffic control during the day must provide a signal area in accordance with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) The operator must display an appropriate signal in the signal area in any circumstances set out in the Manual of Standards that require such a signal to be displayed.

Penalty: 10 penalty units.

- (3) The operator must ensure that the signal area and any signal displayed in it are clearly visible to any aircraft intending to use the aerodrome.

Penalty: 10 penalty units.

139.180 Wind direction indicators — general

The operator of a certified aerodrome must, in accordance with the standards for wind direction indicators set out in the Manual of Standards, install and maintain at least 1 wind direction indicator at the aerodrome.

Penalty: 10 penalty units.

139.185 Wind direction indicators — requirement for certain runways

- (1) If a runway at a certified aerodrome is used in non-precision approach operations, the operator of the aerodrome must ensure that there is a wind direction indicator near the end or ends of the runway at which instrument non-precision approach operations can be conducted.

Penalty: 10 penalty units.

- (2) An offence **against** subregulation (1) is an offence of strict liability.
- (3) CASA may exempt the operator under regulation [139.020](#) from compliance with subregulation (1) only if CASA is satisfied that surface wind information is passed to the pilots of aircraft approaching the runway by:
 - (a) an automatic weather observing system that:
 - (i) is compatible with the Bureau of Meteorology's weather observing system; and
 - (ii) provides surface wind information through an aerodrome weather information broadcast; or

- (b) an approved observer having a communication link with pilots through which timely information about surface wind can be clearly passed to pilots; or
- (c) any other approved means of providing surface wind information.

139.190 Visual approach slope indicator system

- (1) The operator of a certified aerodrome must, in accordance with the standards for visual approach slope indicator systems set out in the Manual of Standards, provide an approved visual approach slope indicator system for the end of a runway at the aerodrome if that end is regularly used as the approach end for jet-propelled aircraft conducting regular public transport operations or charter operations.

Penalty: 10 penalty units.

Note On 2 May 2003, the visual approach slope indicator systems approved by CASA are the systems known as T-VASIS, AT-VASIS and PAPI.

- (2) CASA may direct the operator to provide an approved visual approach slope indicator system for the approach end or ends of a runway to which subregulation (1) does not apply, if CASA considers it necessary in the interests of the safety of aircraft.
- (3) The operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.195 Lighting of movement area

- (1) If a certified aerodrome is available for an aircraft to land or take-off at night, or in less than VMC during the day, the operator of the aerodrome must provide and maintain a lighting system for the movement area of the aerodrome that is in accordance with subregulations (2) and (3).

Penalty: 20 penalty units.

- (2) The lighting system must include:
 - (a) lighting of runways, taxiways and aprons intended for use at night or in less than VMC during the day; and
 - (b) lighting of at least 1 wind direction indicator; and
 - (c) lighting of obstacles within the movement area; and
 - (d) if the aerodrome has a runway intended to serve Category I, II or III precision approach operations — approach, runway and taxiway lighting for the runway and taxiway.
- (3) The lighting system must:
 - (a) if the lighting system is of a kind for which standards are specified in the Manual of Standards — meet those standards; or
 - (b) in any other case — be, or be of a kind, approved by CASA.

139.200 Checking of lighting systems

- (1) The operator of a certified aerodrome must not put a new lighting system of a kind mentioned in subregulation (3) into service at the aerodrome if both of the following requirements are not met:
 - (a) an approved pilot has conducted a flight check of the system;
 - (b) an electrical engineer or a licensed electrician has checked the system for compliance with any applicable electrical specifications and technical standards set out in the Manual of Standards.

Penalty: 10 penalty units.

- (2) If checking compliance with a specification requires the use of survey instruments, the operator must ensure that the checking is done by:
 - (a) a person with a degree, diploma or certificate in surveying or civil engineering; or
 - (b) a person with experience and competence in surveying that is acceptable to CASA.

Penalty: 10 penalty units.

- (3) For subregulation (1), the kinds of lighting systems are as follows:
 - (a) an approach lighting system;
 - (b) a runway lighting system for instrument approach runways;
 - (c) a visual approach slope indicator system for jet-propelled aircraft (other than a system intended for use on a temporary basis for a period not longer than 30 days);
 - (d) a pilot-activated lighting system.

139.205 Aerodrome emergency committee

- (1) The operator of a certified aerodrome must establish an aerodrome emergency committee.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The committee must include a representative from any fire, police or other emergency service that, having regard to the location of the aerodrome, would be likely to be asked to assist if there were an emergency at the aerodrome.

139.210 Aerodrome emergency plan

- (1) The aerodrome emergency committee for a certified aerodrome must prepare an aerodrome emergency plan.
- (2) The plan must include:
 - (a) procedures for coordinating the responses of all emergency service organisations referred to in the plan; and
 - (b) any other matters that are required to be included in the emergency plan by the Manual of Standards.

- (3) The committee must review the emergency plan at least once a year and make any changes to the plan that are necessary to ensure that it operates properly.
- (4) The review must be carried out in consultation with the emergency service organisations referred to in the emergency plan.
- (5) As soon as practicable after an emergency exercise has been carried out at the aerodrome, or if an emergency has occurred at the aerodrome, as soon as practicable after the emergency, the operator of the aerodrome must arrange for the committee to:
 - (a) review the effectiveness of the responses to the exercise or the emergency; and
 - (b) assess the adequacy of the emergency plan to deal with emergencies at the aerodrome; and
 - (c) take such corrective action as is necessary to ensure that the plan operates properly.
- (6) The operator must ensure that:
 - (a) records of each review of the emergency plan carried out under this regulation are kept; and
 - (b) each record is retained for at least 3 years after the review to which the record relates was carried out.

Penalty: 10 penalty units.

- (7) An offence against subregulation (6) is an offence of strict liability.

139.215 Testing of aerodrome emergency plan

- (1) Subject to this regulation, the operator of a certified aerodrome must conduct an emergency exercise at least once every 2 years to test:
 - (a) the coordination of the emergency service organisations referred to in the aerodrome's emergency plan; and
 - (b) the adequacy of the procedures and facilities provided for in the plan.

Penalty: 10 penalty units.

- (2) If a real emergency occurs at the aerodrome within 6 months before an emergency exercise is due, the operator may ask CASA to extend the period within which the next emergency exercise must be conducted.
- (3) CASA must grant the request if it is satisfied that:
 - (a) all emergency service organisations referred to in the plan responded to the real emergency; and
 - (b) the real emergency adequately tested the plan.
- (4) In granting the request, CASA may extend the period until the end of 2 years after the real emergency occurred.

139.220 Aerodrome serviceability inspections

- (1) An *aerodrome serviceability inspection* is an inspection of the aerodrome to ensure that it is safe for aircraft operations.
- (2) The inspection must include the following:
 - (a) an inspection of the movement area to check its surface condition (including for the presence of foreign objects);
 - (b) an inspection of aerodrome markings, lighting, wind direction indicators and ground signals;
 - (c) an inspection for any obstacles infringing the take-off, approach and transitional surfaces;
 - (d) an inspection for any birds or animals on or near the movement area;
 - (e) an inspection of any measures to control the inadvertent entry of persons or animals into the movement area (including aerodrome fencing);
 - (f) an empirical assessment of the bearing strength of unrated runway pavements;
 - (g) an empirical assessment of the runway strip or each runway strip where the runway concerned is not marked and the whole runway strip may be used for aircraft operations;
 - (h) an inspection of the aerodrome's frequency confirmation system (if any);
 - (i) a check of whether any NOTAMS for the aerodrome are current and accurate.
- (3) The inspection must comply with all applicable standards for aerodrome serviceability inspections set out in the Manual of Standards.

139.225 When aerodrome serviceability inspections must be conducted

- (1) The operator of a certified aerodrome must conduct an aerodrome serviceability inspection:
 - (a) on each day on which an airline service operates at the aerodrome; or
 - (b) in any other case — at least twice a week.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The operator of a certified aerodrome must also conduct an aerodrome serviceability inspection:
 - (a) after a gale, storm or other severe weather; and
 - (b) at any time that air traffic control or CASA requires the inspection.

Penalty: 10 penalty units.

139.230 Aerodrome technical inspections

- (1) An *aerodrome technical inspection* is an inspection of aerodrome facilities for an aerodrome to ensure that any deterioration that could make a facility unsafe for aircraft operations is detected.
- (2) The inspection must include the following:
 - (a) an instrument survey of the approach, take-off and transitional surfaces;
 - (b) an inspection and testing of the aerodrome lighting and electrical reticulation systems, including the visual approach slope indicator;
 - (c) an electrical testing of any earthing points at the aerodrome;
 - (d) an inspection and assessment of the movement area pavements and drainage;
 - (e) an inspection of signs on the movement area;
 - (f) an inspection of facilities at the aerodrome used for any of the following:
 - (i) aerodrome emergencies;
 - (ii) the handling of hazardous materials;
 - (iii) bird and animal hazard management;
 - (iv) stand-by and emergency aerodrome lighting;
 - (g) an inspection of airside vehicle control arrangements (if any);
 - (h) a check of the currency and accuracy of:
 - (i) aerodrome information published in AIP; and
 - (ii) aerodrome operating procedures specified in the aerodrome manual for the aerodrome.
- (3) The inspection must comply with all applicable standards for aerodrome technical inspections set out in the Manual of Standards.

139.235 When aerodrome technical inspections must be conducted etc

- (1) The operator of a certified aerodrome must ensure that:
 - (a) an aerodrome technical inspection is conducted at intervals of not more than 12 months; or

- (b) if the operator has elected to have a part or parts of the inspection conducted at different times under subregulation (2), each facility for the aerodrome to be inspected is inspected at intervals of not more than 12 months.

Penalty: 10 penalty units.

- (2) The operator may elect to have a part or parts of an aerodrome technical inspection conducted at different times from the other parts.
- (3) If it appears from an aerodrome serviceability inspection that a particular facility at the aerodrome requires an aerodrome technical inspection, the operator must ensure that the necessary technical inspection of the facility is conducted as soon as practicable.

Penalty: 10 penalty units.

- (4) The operator:
 - (a) must, if the operator has elected to have a part or parts of an aerodrome technical inspection conducted at different times under subregulation (2):
 - (i) keep records of each part of each inspection; and
 - (ii) retain each record for at least 3 years after the part of the inspection to which the record relates was conducted; or
 - (b) must, in any other case:
 - (i) keep records of each inspection; and
 - (ii) retain each record for at least 3 years after the inspection to which the record relates was conducted.

Penalty: 10 penalty units.

- (5) An offence against subregulation (1) or (4) is an offence of strict liability.

139.240 Who may conduct aerodrome technical inspections

- (1) The operator of a certified aerodrome must ensure that an aerodrome technical inspection is conducted by a person or persons with appropriate technical qualifications and experience.

Penalty: 10 penalty units.

- (2) In particular:
 - (a) the movement area, other pavements and drainage must be inspected by a person who has a recognised degree, diploma or certificate in civil engineering or appropriate technical experience; and
 - (b) the lighting and electrical facilities must be inspected by an electrical engineer or a licensed electrician; and
 - (c) the obstacle limitation surfaces must be inspected by a person who:
 - (i) is technically qualified or experienced in surveying; and

- (ii) has a sound knowledge and understanding of the standards and survey procedures for obstacle limitation surfaces.

139.245 Planning and execution of aerodrome works

- (1) The operator of a certified aerodrome must ensure that any aerodrome works at the aerodrome are carried out in a way that does not create a hazard to aircraft, or confusion to pilots.

Penalty: 10 penalty units.

- (2) The operator must comply with the standards set out in the Manual of Standards in relation to planning and notice requirements that must be satisfied before aerodrome works may be carried out.

Penalty: 10 penalty units.

139.250 Safety management system

- (1) This regulation applies:
 - (a) to an aerodrome used by aircraft engaged in international operations — on and after 1 November 2005; and
 - (b) to any other certified aerodrome — on and after 1 January 2007.
- (2) The operator of a certified aerodrome to which this regulation applies must ensure that the aerodrome has a safety management system that complies with the standards set out in the Manual of Standards.

Penalty: 10 penalty units.

Note This regulation is based on an ICAO requirement that is to come into effect in November 2005.

Subpart 139.C Registered aerodromes

139.255 Definition for this Subpart

In this Subpart:

aerodrome register means the register established and maintained under regulation 139.275.

139.260 Application for registration of aerodrome

- (1) The operator of an aerodrome (other than a aerodrome to which regulation 139.040 applies) may apply to CASA for registration of the aerodrome.

Note A person must not operate an aerodrome that is available for public use and has a non-precision approach runway if the aerodrome is not a certified aerodrome or a registered aerodrome (see regulation 139.030).

- (2) An application must be in the approved form and must be accompanied by:
 - (a) the information about the aerodrome required by Appendix 1 to this paragraph, including a diagram of the aerodrome in accordance with that Appendix; and
 - (b) a written statement, signed by a person approved under regulation 139.320, to the effect that:
 - (i) the person has conducted a safety inspection of the aerodrome; and
 - (ii) the aerodrome meets the applicable standards referred to in regulation 139.295 for registered aerodromes and is safe for operation; and
 - (c) the name or names of the person or persons who are to be the reporting officers for the aerodrome.
- (3) Despite paragraph (2) (b), until the end of 1 May 2006, the statement mentioned in that paragraph may be given by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320 (2).

Appendix 1 to paragraph 139.260 (2) (a) (Diagram and information for application for registration of aerodrome)

- (1) The diagram of the aerodrome must show the following:
 - (a) the layout of runways, their designations (runway numbers) and length in metres;
 - (b) the layout of taxiways and aprons;
 - (c) the location of the aerodrome reference point;
 - (d) the location of all wind direction indicators;
- (e) the elevation of the aerodrome at the highest point of the landing surface;

- (f) the magnetic bearing and distance to the nearest population centre, and what that centre is.

(2) The information about the aerodrome must include:

Aerodrome administration

- (a) the following information about the aerodrome and its administration:
 - (i) the name of the aerodrome;
 - (ii) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times;
 - (iii) the State or Territory in which the aerodrome is located and the latitude and longitude for the location;
 - (iv) whether the aerodrome is a public or private aerodrome;
 - (v) the charges for use of the aerodrome;
 - (vi) the name and contact details for the persons who are to be the reporting officers for the aerodrome; and

Runways

- (b) the following information for each runway at the aerodrome:
 - (i) the runway reference code number for the approach and take-off areas that have been surveyed;
 - (ii) runway width and slope;
 - (iii) runway strip width (grade and overall);
 - (iv) declared distances and supplementary take-off distances;
 - (v) pavement strength rating; and

Aerodrome lighting

- (c) for each runway at the aerodrome that may be used at night — the following information:
 - (i) whether the runway edge lights are low, medium or high intensity lights;
 - (ii) whether approach lighting is provided;
 - (iii) whether pilot-activated lighting is provided and, if pilot-activated lighting is provided, its frequency;
 - (iv) whether T-VASIS or PAPI lighting systems are provided;
 - (v) whether there is an aerodrome beacon;
 - (vi) whether there is stand-by power or portable lighting;
 - (vii) information about any other lighting provided; and

Ground services

- (d) the following information about ground services available to visiting pilots:
 - (i) the types of aviation fuel available and contact details for fuel suppliers;
 - (ii) contact details for local weather information;
 - (iii) details of the universal communication system; and

Special procedures

- (e) information about any special procedures that pilots need to observe or follow; and

Notices

- (f) the following local safety information:
 - (i) the presence of obstacles or other hazards (including animals or birds);
 - (ii) restrictions on the use of taxiways or aprons;
 - (iii) other activities at the aerodrome (for example, sport aviation activities).

139.265 Registration of aerodromes

CASA must, if the operator of an aerodrome has applied for registration of the aerodrome in accordance with regulation [139.260](#):

- (a) register the aerodrome by entering the following information about the aerodrome in the aerodrome register:
 - (i) the name of the aerodrome;
 - (ii) the details of the location of the aerodrome;
 - (iii) the name and address of the operator; and
- (b) tell the operator, in writing, that the aerodrome is registered; and
- (c) direct AIS to publish in AIP-ERSA details of the registration and the information about the aerodrome required by Appendix 1 to paragraph [139.260](#) (2) (a).

139.270 Notice of refusal to register aerodrome

If CASA refuses to register an aerodrome, CASA must, no later than 14 days after it refuses to register the aerodrome, give the operator of the aerodrome written notice of the refusal and the reasons for it.

139.275 Register

- (1) CASA must establish and keep, in the approved form, a register of aerodromes registered under this Subpart.
- (2) CASA must make the aerodrome register available for inspection by members of the public at reasonable times and places, and subject to reasonable conditions.
- (3) CASA may comply with subregulation (2) by making the information recorded in the aerodrome register accessible on the Internet.
- (4) CASA must alter the information recorded in the aerodrome register if that information is not up to date.
- (5) CASA must correct the information in the aerodrome register if there is an error in that information.

139.280 Duration of registration

- (1) The registration of an aerodrome remains in force unless it is cancelled.
- (2) However, the registration is not in force during any period in which it is suspended.

139.285 Cancellation of registration on request

- (1) If the operator of a registered aerodrome wishes the registration of the aerodrome to be cancelled, the operator must give CASA not less than 30 days' written notice of the date on which the operator wishes the registration to be cancelled.
- (2) CASA must cancel the registration on the date specified in the notice and arrange for:
 - (a) the cancellation to be notified in NOTAMS; and
 - (b) details of the registration and any other information about the aerodrome to be removed from AIP-ERSA.

139.290 Suspension or cancellation of registration by CASA

- (1) CASA may, by written notice given to the operator of a registered aerodrome, suspend or cancel the registration of the aerodrome if there are reasonable grounds for believing that:
 - (a) the aerodrome fails to meet any of the standards applicable to the aerodrome under regulation 139.295; or
 - (b) the operator of the aerodrome has failed to comply with regulation 139.025, 139.300, 139.305, 139.310 or 139.315.
- (2) Before suspending or cancelling the registration of an aerodrome, CASA must:
 - (a) give to the operator a show cause notice that:
 - (i) sets out the facts and circumstances that, in the opinion of CASA, would justify the suspension or cancellation; and
 - (ii) invites the operator to show cause, in writing, within 30 days after the date of the notice, why the registration should not be suspended or cancelled; and
 - (b) take into account any written submissions that the operator makes to CASA within the time allowed under subparagraph (a) (ii).

139.295 Applicable standards for registered aerodromes

The standards applicable to registered aerodromes are:

- (a) the standards applicable to certified aerodromes in relation to the following matters:
 - (i) physical characteristics of the movement area;
 - (ii) obstacle limitation surfaces;

- (iii) aerodrome markings;
 - (iv) lighting;
 - (v) wind direction indicators;
 - (vi) signal circle and ground signals; and
- (b) any other standards set out in the Manual of Standards that are applicable to registered aerodromes.

139.300 Reporting officer

- (1) The operator of a registered aerodrome must appoint 1 or more reporting officers for the aerodrome.
- (2) The functions of a reporting officer are:
 - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and
 - (b) to report to the NOTAM Office and air traffic control any changes in conditions, or any other occurrences, at the aerodrome that must be reported under regulation [139.305](#).
- (3) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

139.305 Notice of changes in physical condition etc of aerodrome

- (1) The operator of a registered aerodrome must, in accordance with the Manual of Standards, give notice to the NOTAM Office of:
 - (a) any temporary or permanent change in the physical condition of the aerodrome that may affect the safety of aircraft; or
 - (b) any other occurrence relating to the operation or maintenance of the aerodrome that may affect the safety of aircraft.
- (2) If the aerodrome is a controlled aerodrome, the notice must also be given to air traffic control.

139.310 Notice of changes in information published in AIP-ERSA

To maintain the accuracy of the information published in AIP-ERSA in relation to a registered aerodrome, the operator of the aerodrome must tell AIS, in writing, as soon as practicable of any change required to that information (other than a change that is published in NOTAMS).

139.315 Safety inspections

- (1) This regulation applies to a registered aerodrome that is used by an aircraft that:
 - (a) is engaged in regular public transport operations or charter operations; and
 - (b) has a maximum passenger seating capacity of more than 9 seats.
- (2) The operator of the aerodrome must arrange for a safety inspection of the aerodrome to be conducted at least once each year.
- (3) The safety inspection must be conducted by a person approved under regulation [139.320](#).
- (4) The approved person must give the operator a written report that:
 - (a) deals with the matters set out in Appendix 1 to this paragraph; and
 - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.
- (5) Within 30 days after receiving the report, the operator must give to CASA:
 - (a) a copy of the report; and
 - (b) if the report specifies any remedial work as being necessary — a statement as to when and how the operator intends to do the remedial work.
- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation [139.320](#) but met the requirements of Part 1 of Schedule 11 of CAR as in force immediately before that commencement.

Appendix 1 to paragraph [139.315](#) (4) (a) (Matters to be dealt with in safety inspections)

Details of aerodrome

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
 - (a) details of the location of the aerodrome;
 - (b) the name and address of the aerodrome operator;
 - (c) details of the movement area;
 - (d) details of runway distances available;

- (e) details of the aerodrome lighting;
- (f) details of ground services;
- (g) notice of special conditions and procedures, if any.

Aerodrome operating procedures

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
 - (a) recording of aerodrome inspections;
 - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
 - (c) recording of aerodrome works.

Reporting officer

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

Details relating to movement area etc

- (4) Check the following:
 - (a) dimensions and surface conditions of runways, taxiways and aprons;
 - (b) aerodrome lighting, including back-up lighting and obstacle lighting;
 - (c) wind direction indicators and their illumination;
 - (d) aerodrome markings and signs;
 - (e) obstacle limitation surfaces applicable to the aerodrome;
 - (f) two-way radios (whether hand-held or installed in vehicles) used by the aerodrome operator on the movement area;
 - (g) equipment used for dispersing birds;
 - (h) aerodrome fencing.

139.320 Approval of persons to conduct aerodrome safety inspections

- (1) A person may apply to CASA for approval to conduct aerodrome safety inspections for this Subpart.
- (2) CASA must approve the person if the person:
 - (a) has:
 - (i) a recognised degree, diploma or certificate in civil engineering, surveying or a related field and a sound knowledge of the parts of these Regulations and the standards, practices and procedures that are applicable to the operation and maintenance of aerodromes; or
 - (ii) other qualifications, knowledge and experience that CASA considers suitable for conducting an aerodrome safety inspection; and
 - (b) would, if the approval is given, be able to perform properly the aerodrome safety inspection function.

139.325 Duration of approval

- (1) Unless sooner cancelled, an approval under regulation [139.320](#) remains in force until the end of 5 years after it is given.
- (2) An approval is not in force during any period in which it is suspended, but the period of suspension counts as part of the 5 year approval period.

139.330 Suspension or cancellation of approval by CASA

- (1) CASA may suspend or cancel an approval of a person under regulation [139.320](#), by written notice given to the person, if the person has not properly carried out, or is no longer properly carrying out, the aerodrome safety inspection function.
- (2) Before cancelling or suspending the approval, CASA must:
 - (a) give the person written notice:
 - (i) stating the reasons that, in the opinion of CASA, would justify the cancellation or suspension; and
 - (ii) advising the person that he or she may, within 30 days after the date of the notice, give CASA written reasons why the approval should not be suspended or cancelled; and
 - (b) take into account any written reasons given to it by the person within the time allowed under subparagraph (a) (ii).

Subpart 139.D Reporting officer and safety inspection requirements for certain other aerodromes

139.335 Aerodromes to which this Subpart applies

- (1) This Subpart applies to an aerodrome that:
 - (a) is not a certified aerodrome or a registered aerodrome; and
 - (b) is used at least once a week by an aircraft that:
 - (i) is engaged in regular public transport operations or charter operations; and
 - (ii) has a maximum passenger seating capacity of more than 9 seats but not more than 30 seats.
- (2) To establish the applicability of this Subpart to an aerodrome, CASA may direct the operator of the aerodrome to give to CASA statistics about the number of movements at the aerodrome, in a specified period, of aircraft to which subparagraphs (1) (b) (i) and (ii) apply.
- (3) An aerodrome operator must comply with a direction given to the operator under subregulation (2).

Penalty: 10 penalty units.

139.340 Reporting officer

- (1) The operator of an aerodrome to which this Subpart applies must appoint 1 or more reporting officers for the aerodrome.
- Penalty: 10 penalty units.
- (2) An offence against subregulation (1) is an offence of strict liability.
 - (3) The functions of a reporting officer are:
 - (a) to monitor the serviceability of the aerodrome in accordance with the Manual of Standards; and
 - (b) to report to the operators that use the aerodrome any changes in conditions, or any other occurrences, at the aerodrome that may affect the safety of aircraft operations.
 - (4) The operator must not appoint a person as a reporting officer if the person has not been trained, in accordance with the Manual of Standards, to perform the reporting officer's functions.

Penalty: 10 penalty units.

139.345 Safety inspections

- (1) The operator of an aerodrome to which this Subpart applies must arrange for a safety inspection of the aerodrome to be conducted at least once each year.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) The safety inspection must be conducted by a person approved, under regulation 139.320, to conduct safety inspections for Subpart 139.C.

Penalty: 10 penalty units.

- (4) The approved person must give the operator a written report that:
 - (a) deals with the matters set out in Appendix 1 to this paragraph; and
 - (b) specifies any remedial work that is necessary for the aerodrome to comply with the applicable standards.
- (5) Within 30 days after receiving the report, the operator must give to CASA:
 - (a) a copy of the report; and
 - (b) if the report specifies any remedial work as being necessary — a statement as to when and how the operator intends to do the remedial work.

Penalty: 10 penalty units.

- (6) Despite subregulation (3), until the end of 1 May 2006, the safety inspection may be conducted by a person who is not approved by CASA under regulation 139.320 but is a person CASA is satisfied meets the requirements of subregulation 139.320 (2).

Appendix 1 to paragraph 139.345 (4) (a) (Matters to be dealt with in safety inspections)

Details of aerodrome

- (1) Check that the following details relating to the aerodrome, published in AIP-ERSA or given to air transport operators, are correct:
 - (a) details of the location of the aerodrome;
 - (b) the name and address of the aerodrome operator;
 - (c) details of the movement area;
 - (d) details of runway distances available;
 - (e) details of the aerodrome lighting;
 - (f) details of ground services;
 - (g) notice of special conditions and procedures, if any.

Aerodrome operating procedures

- (2) Check aerodrome operating procedures to ensure that the following matters are dealt with:
 - (a) recording of aerodrome inspections;
 - (b) recording of notices given to the NOTAM Office and AIS or to air transport operators;
 - (c) recording of aerodrome works.

Reporting officer

- (3) Check that each person appointed as a reporting officer is competent to carry out the reporting officer's functions.

Details relating to movement area etc

- (4) Check the following:
 - (a) dimensions and surface conditions of runways, taxiways and aprons;
 - (b) aerodrome lighting, including back-up lighting and obstacle lighting;
 - (c) wind direction indicators and their illumination;
 - (d) aerodrome markings and signs;
 - (e) obstacle limitation surfaces applicable to the aerodrome;
 - (f) two-way radios whether hand-held or installed in vehicles used by the aerodrome operator on the movement area;
 - (g) equipment used for dispersing birds;
 - (h) aerodrome fencing.

Subpart 139.E Obstacles and hazards

139.350 Monitoring of airspace

- (1) The operator of a certified aerodrome or a registered aerodrome must monitor the airspace around the aerodrome for infringement of the obstacle limitation surfaces by:
 - (a) any object, building or structure; or
 - (b) any gaseous efflux having a velocity exceeding 4.3 metres per second.
- (2) The monitoring must be in accordance with the standards set out in the Manual of Standards.

139.355 Establishment of obstacle limitation surfaces

An aerodrome operator must ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards set out in the Manual of Standards.

139.360 Notice of obstacles

- (1) An aerodrome operator must take all reasonable measures to ensure that obstacles at, or within the vicinity of, the aerodrome are detected as quickly as possible.
- (2) If the operator becomes aware of the presence of an obstacle, the operator must:
 - (a) tell the NOTAM Office immediately; and
 - (b) give the NOTAM Office details of:
 - (i) the height and location of the obstacle; and
 - (ii) amended declared distances and gradients, if applicable.

Penalty: 10 penalty units.

- (3) If the operator becomes aware of any development or proposed construction near the aerodrome that is likely to create an obstacle, the operator must:
 - (a) tell CASA as soon as practicable; and
 - (b) give to CASA details of the likely obstacle.

Penalty: 10 penalty units.

139.365 Structures 110 metres or more above ground level

A person who proposes to construct a building or structure the top of which will be 110 metres or more above ground level must inform CASA of that intention and the proposed height and location of the building or structure.

Penalty: 10 penalty units.

139.370 Hazardous objects etc

- (1) CASA may determine, in writing, that:
 - (a) an obstacle, or any proposed development or other proposed construction that is likely to create an obstacle; or
 - (b) a building or structure the top of which is 110 metres or more above ground level; or
 - (c) a proposed building or structure the top of which will be 110 metres or more above ground level;is, or will be, a hazardous object because of its location, height or lack of marking or lighting.
- (2) CASA may determine, in writing, that a gaseous efflux having a velocity exceeding 4.3 metres per second is, or will be, a hazard to aircraft operations because of the velocity or location of the efflux.
- (3) If CASA makes a determination under subregulation (1) or (2), it must:
 - (a) publish in AIP or NOTAMS particulars of the hazardous object or gaseous efflux to which the determination relates; and
 - (b) give written notice of the determination in accordance with subregulation (4).
- (4) CASA must give a copy of the notice:
 - (a) in the case of a hazardous object that is a proposed building or structure:
 - (i) to the person proposing to construct the building or structure; and
 - (ii) to the authority or, if applicable, one or more of the authorities whose approval is required for the construction; and
 - (b) in any other case, if a person who owns or is in occupation or control of the hazardous object, or owns or is in control of the installation that produces the gaseous efflux, can reasonably be identified — to that person.

Subpart 139.F Aerodrome radio communication services

Division 139.F.1 General

139.375 Aerodrome operators to collect statistics if directed

- (1) If CASA considers it necessary in the interests of the safety of air navigation, CASA may, in writing, give directions to an aerodrome operator about collecting:
 - (a) statistics about:
 - (i) the types of aircraft using the aerodrome; and
 - (ii) the times of aircraft movements at the aerodrome; and
 - (b) other information, specified by CASA in the direction, that is relevant to deciding what radio communication services or air traffic services should be provided at the aerodrome.
- (2) An aerodrome operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

Division 139.F.2 Frequency confirmation system

139.380 Definitions for [Division 139.F.2](#)

In this Division:

frequency confirmation system means a ground radio system at an aerodrome that, if it receives a transmission from an aircraft on the radio frequency for the aerodrome, sends a signal or message to the aircraft confirming that the transmission has been received.

non-controlled aerodrome means an aerodrome at which an air traffic control service is not operating.

139.385 Aerodromes that must have a frequency confirmation system

- (1) The operator of a non-controlled aerodrome must ensure that there is a frequency confirmation system for the aerodrome in accordance with subregulation (2) if:
 - (a) the aerodrome is located in an MBZ; or
 - (b) the aerodrome is used at least 5 times a week by aircraft that:
 - (i) are engaged in regular public transport operations or charter operations; and
 - (ii) have a maximum passenger seating capacity of more than 9 seats.

Penalty: 10 penalty units.

- (2) The frequency confirmation system must comply with the standards for frequency confirmation systems set out in the Manual of Standards.

Division 139.F.3 Air/ground radio service

139.390 Definitions for Division 139.F.3

In this Division:

AAIS (automatic aerodrome information service) means the service that provides current, routine information for aircraft arriving at or departing from an aerodrome by means of repetitive broadcasts on a discrete frequency.

air/ground radio service means an aerodrome radio information service that provides aircraft operating in the MBZ of an aerodrome with the services and information specified in section 14.2 of the Manual of Standards.

certified air/ground radio operator, or *CA/GRO*, means a person who is certified as a CA/GRO under regulation 139.430.

certified air/ground radio service, or *CA/GRS*, in relation to an aerodrome, means an air/ground radio service for the aerodrome certified in accordance with regulation 139.410.

139.395 Air/ground radio service must be certified

- (1) The operator of an aerodrome must not operate, or permit to be operated, at the aerodrome an air/ground radio service that is not a CA/GRS.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) Subregulation (1) does not apply if the operator has CASA's written approval to operate the service for the purpose of conducting tests necessary to determine whether the service meets the standards for a CA/GRS set out in the Manual of Standards.

139.400 Direction by CASA to provide CA/GRS

- (1) CASA may direct the operator of an aerodrome to provide a CA/GRS at the aerodrome.
- (2) CASA must not give a direction under subregulation (1) unless an aeronautical study for the aerodrome has found that a CA/GRS is required at the aerodrome for the safety of air navigation.
- (3) An operator must comply with a direction given to the operator under subregulation (1).

Penalty: 10 penalty units.

139.405 Voluntary provision of CA/GRS

An aerodrome operator who has not been given a direction under regulation 139.400 may provide a CA/GRS at the aerodrome.

139.410 Certification of air/ground radio service

- (1) The operator of an aerodrome may ask CASA to certify an air/ground radio service for the aerodrome as meeting the standards for a CA/GRS set out in the Manual of Standards.
- (2) A request must be made to CASA in accordance with the Manual of Standards.
- (3) If the operator asks CASA to certify an air/ground radio service under this regulation, or because of a direction under regulation [139.400](#), CASA must certify the service if it meets the standards for a CA/GRS set out in the Manual of Standards.

139.415 General obligations of aerodrome operator

The operator of an aerodrome that has a CA/GRS must ensure that:

- (a) the CA/GRS is provided with the facilities required for a CA/GRS by the Manual of Standards; and
- (b) only a CA/GRO operates the CA/GRS; and
- (c) if the aerodrome is a certified aerodrome — the aerodrome manual for the aerodrome includes the operational procedures for the CA/GRS; and
- (d) the CA/GRS is operated in accordance with regulation [139.420](#).

Penalty: 10 penalty units.

139.420 When CA/GRS must be operating

- (1) The CA/GRS must be operating for the arrival and departure of an aircraft that:
 - (a) is engaged in regular public transport operations or charter operations; and
 - (b) has a maximum passenger seating capacity of more than 30 seats.
- (2) Subregulation (1) does not apply if:
 - (a) an air traffic control service is operating at the aerodrome; or
 - (b) an exemption from the requirement is in effect under regulation [139.020](#).
- (3) Also, subregulation (1) does not apply for the limited period mentioned in subregulation (4) if:
 - (a) the CA/GRO is absent from duty because of sickness or injury; or
 - (b) the CA/GRS is unserviceable.
- (4) The **limited period** is the lesser of:
 - (a) 7 days; and
 - (b) the period of the absence from duty or the unserviceability.

139.425 Information about operating hours to be given to NOTAM Office

- (1) The operator of an aerodrome that has a CA/GRS must give the NOTAM Office the following information, in writing:
 - (a) the hours of operation of the CA/GRS;
 - (b) the radio frequency and the call-sign of the CA/GRS;
 - (c) the radio frequency of the AAIS for the aerodrome.

Penalty: 10 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.
- (3) If the CA/GRS becomes unavailable at the hours of operation notified under paragraph (1) (a), the operator must tell the NOTAM Office as soon as practicable.

Penalty: 10 penalty units.

139.430 Certified air/ground radio operators

- (1) A person may apply to CASA for certification as a CA/GRO.
- (2) The application must be made to CASA in accordance with the Manual of Standards.
- (3) On receiving an application under this regulation, CASA must grant the application if the applicant meets the standards for a CA/GRO set out in the Manual of Standards.

139.435 Offences

- (1) When a CA/GRO is providing a CA/GRS, he or she must not perform any other duties that are unrelated to the provision of the CA/GRS.

Penalty: 5 penalty units.

- (2) The operator of an aerodrome must not allow a CA/GRO to provide a CA/GRS at the aerodrome if:

- (a) the CA/GRO:
 - (i) has consumed any alcohol in the 8 hours before the service is to be provided; or
 - (ii) is suffering from an incapacity that is likely to impair his or her efficiency in providing the service; and
- (b) the operator knows of that fact.

Penalty: 5 penalty units.

Subpart 139.H Aerodrome rescue and fire fighting services

Note As a signatory to the Chicago Convention, Australia is obliged to require, as part of its domestic law, that certain classes of airport provide rescue and firefighting services of an adequate standard. (See generally section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.) To satisfy that obligation, this Subpart requires operators of aerodromes that have scheduled international traffic, or specified levels of domestic passenger traffic, to provide those services, and sets out the standards that apply to such services. Aerodromes that are not obliged to provide an ARFFS may choose to do so, and this Subpart will apply to a service so provided until the operator gives reasonable notice that it will no longer provide such a service.

Division 139.H.1 General

139.700 Applicability of this Subpart

- (1) This Subpart applies to aerodrome rescue and firefighting services.
- (2) This Subpart sets out:
 - (a) how a person receives approval as a provider of an aerodrome rescue and firefighting service; and
 - (b) the operating and technical standards applicable to such a service.
- (3) This Subpart does not apply to:
 - (a) a person who is providing an aerodrome rescue and firefighting service in the course of his or her duties for the Defence Force; or
 - (b) any aerodrome rescue and firefighting service provided by the Defence Force.

139.705 Definitions for this Subpart

- (1) In this Subpart:
 - airside* of an aerodrome has the same meaning as *airside* of an airport in the *Airports Act 1996*.
 - ARFFS* means aerodrome rescue and fire-fighting service.
 - ARFFS operation* means an operation undertaken in carrying out a function mentioned in paragraph 139.710 (1) (a) or (b).
 - ARFFS provider* for an aerodrome means the person or organisation that provides ARFFS for the aerodrome.
 - category* of an aerodrome means its category worked out by the method set out in section 9.2 of chapter 9 of Annex 14 to the Chicago Convention.
 - ERSA* means the part of AIP known as En Route Supplement Australia.
 - Manual of Standards* means the document called ‘Manual of Standards (MOS) – Subpart 139.H’ issued by CASA under regulation 139.712, as in force from time to time.

- (2) A reference in this Subpart to an AFC certificate of a particular level is a reference to:
 - (a) a certificate of that level issued under the Australian Fire Competencies Scheme (that is, the training scheme administered by the Australian Fire Authorities Council); or
 - (b) a certificate accepted by CASA as indicating that the certificate holder has successfully completed a training program of a standard equivalent to that required for the issue of an AFC certificate of that level.
- (3) *omitted by SR No. 03/75*

139.710 Functions of ARFFS

- (1) The functions of an ARFFS for an aerodrome are:
 - (a) to rescue persons and property from an aircraft that has crashed or caught fire during landing or take-off; and
 - (b) to control and extinguish, and to protect persons and property threatened by, a fire on the aerodrome, whether or not in an aircraft.
- (2) Nothing in subregulation (1) prevents the ARFFS provider for an aerodrome from performing fire control services or rescue services elsewhere than on an aerodrome, but the provider must give priority to operations mentioned in subregulation (1).

139.711 Person not to provide service without approval

- (1) A person must not provide an ARFFS at an aerodrome unless the person is approved, under Division 5, to provide the ARFFS.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note For *strict liability*, see section 6.1 of the *Criminal Code*.

139.712 Issue of Manual of Standards

- (1) CASA may issue a Manual of Standards for this Subpart that provides for the following matters:
 - (a) standards and criteria for the establishment and disestablishment of an ARFFS;
 - (b) standards relating to the procedures, systems and documents required for the provision of an ARFFS;
 - (c) standards for facilities and equipment used to provide an ARFFS;
 - (d) standards, including competency standards, minimum qualifications and training standards, for persons engaged in an ARFFS;
 - (e) any matter. required or permitted by the regulations to be provided for by the Manual of Standards;

- (f) any matter necessary or convenient to be provided for the effective operation of this Subpart.

Note A Manual of Standards is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*: see subsections 98 (5A) and (5B) of the *Civil Aviation Act 1988*.

- (2) CASA must give a copy of a notice about a Manual of Standards for this Subpart (being a notice referred to in subregulation 11.275 (3) or regulation 11.280) to each ARFFS provider.

Note A Manual of Standards is a legislative instrument — see subsections 98 (5A) and (5B) of the Act and subparagraph 6 (d) (i) of the *Legislative Instruments Act 2003*. It must be registered in accordance with the latter Act and must be tabled in both Houses of the Parliament within 6 sitting days after its making.

Note *Regulations 139.712A-712H were revoked by SR 2004 No. 345,*

139.715 Effect of Manual of Standards

- (1) If CASA sets out, in the Manual of Standards, a way of complying with a requirement of this Subpart, an ARFFS provider who uses that way is taken to have complied with the requirement unless the contrary is shown.
- (2) CASA may take the extent to which an ARFFS provider complies with the Manual into account in deciding whether the service provided by the provider is adequate.

Note **Pages Part 139-53 to 139-54 have been omitted on purpose**

Division 2

omitted by SR No. 03/75

Division 139.H.3 Requirements to be complied with by ARFFS provider

139.750 Requirements in this Division

A requirement in this Division for there to be a system or procedure to do something is a requirement that the system or procedure:

- (a) must exist; and
- (b) must be in use.

139.755 Definition for Division — *applicable standards and requirements*

(1) In this Division:

applicable standards and requirements, for an aerodrome of a particular category, means:

- (a) for an aerodrome to which subregulation (2) applies — the standards and requirements for an aerodrome of its category set out in:
 - (i) Chapter 9 of Annex 14 to the Chicago Convention; and
 - (ii) the Manual of Standards; or
- (b) for any other aerodrome — the standards and requirements for an aerodrome of its category set out in the Manual of Standards.

(2) This subregulation applies to:

- (a) an aerodrome from or to which an international passenger air service operates; and
- (b) any other aerodrome through which more than 350 000 passengers passed on air transport flights during the previous financial year.

(3) In paragraph (2) (a):

international passenger air service means:

- (a) an international air service (within the meaning given by subsection 3 (1) of the *Air Navigation Act 1920*) that carries passengers, other than a non-scheduled service (within the meaning given by that subsection); or
- (b) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, carried out under a permission granted under section 15D of the *Air Navigation Act 1920*; or
- (c) a non-scheduled passenger-carrying flight, or program of non-scheduled passenger-carrying flights, in a category in respect of which the Secretary to the Department has determined, under subsection 15A (3) of that Act, that such a permission is not required.

- (4) For paragraph (2) (b), the number of passengers that pass through an aerodrome is to be determined according to statistics published by the Department.

Note **Department** means the Department administered by the Minister who administers these Regulations (see the *Acts Interpretation Act 1901*, subsection 19A (3) and section 46). At present that Department is the Department of Transport and Regional Services.

139.760 Inconsistency between Manual and chapter 9 of Annex 14

If a requirement of the Manual of Standards, as it applies to a particular aerodrome, is inconsistent with a requirement of chapter 9 of Annex 14 to the Chicago Convention, as it applies to that aerodrome, the requirement of the Manual prevails to the extent of the inconsistency.

139.765 Knowledge, equipment and expertise to deal with aviation hazards

An ARFFS provider must have the knowledge, equipment and expertise to deal with any hazard likely to arise during an aviation accident or incident, including any hazard mentioned in the Manual of Standards.

139.770 General obligation to maintain service

- (1) An ARFFS provider must ensure that the service is available during the period or periods published in ERSA as the period or periods of its availability.
- (2) Subregulation (1) does not prevent the level of protection provided during predictable periods of reduced activity at the aerodrome from being reduced, within the limit allowed by Chapter 9 of Annex 14 to the Chicago Convention.

139.771 Response time of ARFFS

- (1) An ARFFS must be able to meet the criteria for response time set out in Chapter 9 of Annex 14 to the Chicago Convention.
- (2) Subregulation (1) applies to an ARFFS whether or not Annex 14 to the Chicago Convention applies to the ARFFS.

139.772 Buildings and emergency facilities

- (1) An ARFFS provider for an aerodrome to which subregulation [139.755](#) (2) applies must ensure that the necessary buildings and facilities for the service, including the following, are at the aerodrome:
 - (a) a fire station;
 - (b) communications facilities;
 - (c) facilities for the maintenance of vehicles and equipment;
 - (d) training facilities;

- (e) storage facilities;
 - (f) if there is a body of water within 1 000 metres of a runway threshold — a boat ramp and boat launching facilities.
- (2) The ARFFS provider must ensure that those buildings and facilities comply with any applicable requirements (including requirements as to location) in the Manual of Standards.
 - (3) The ARFFS provider must ensure that there is a facility, in accordance with the requirements of the Manual of Standards, for replenishing the water supply of a fire fighting vehicle.
 - (4) The ARFFS provider must ensure that there are the appropriate emergency roads on the aerodrome in accordance with the requirements of the Manual of Standards.
 - (5) An ARFFS provider must ensure that there are, at an aerodrome other than one to which subregulation 139.755 (2) applies, the following facilities:
 - (a) a standby point for an emergency vehicle that will allow the vehicle to achieve the response time required by the Manual of Standards;
 - (b) storage for a reserve stock of extinguishing agents.

139.773 Officer in charge

- (1) An ARFFS provider must appoint, as officer in charge of ARFFS operations for an aerodrome, a person who is based at the aerodrome and who holds:
 - (a) for an aerodrome categorised as Category 6 or above — an AFC Advanced Diploma that meets the standards in the Manual of Standards; or
 - (b) for an aerodrome categorised as Category 5 or below — an AFC Diploma that meets the standards in the Manual of Standards.
- (2) In paragraphs (1) (a) and (b):
AFC means Australian Fire Competencies.

139.775 Notice about times service is available etc

- (1) An ARFFS provider must ensure that notice is published in ERSA of the hours during which the service is available.
- (2) If for some reason (such as an emergency on the aerodrome) it becomes temporarily impossible to provide an ARFFS to the standard required by this Subpart, the provider must tell the Australian NOTAM Office:
 - (a) of the reduction in the service; and
 - (b) how long it is likely to be before the full service is restored.
- (3) The provider must tell CASA in writing of any proposed reduction in the standard of service that:
 - (a) will last longer than 24 hours; or

- (b) reduces the standard of ARFFS provided at the airport concerned to a greater extent than is permissible under Chapter 9 of Annex 14 to the Chicago Convention.

139.780 Agreements with other fire fighting bodies

- (1) An ARFFS provider may make an arrangement:
 - (a) for an aerodrome that is a joint user airport (within the meaning of the *Airports Act 1996*) — with the Defence Force for the provision of the ARFFS provider's services to the Defence Force for the part of the aerodrome under the control of the Force; or
 - (b) with a State or Territory, or another person or body, for the services of the provider for firefighting or rescue in the State or Territory beyond the airside of the aerodrome concerned.
- (2) If a provider makes such an arrangement, the provider must ensure that it is recorded in writing.

139.785 Stock of fire extinguishing agents

- (1) There must be, on the aerodrome, a stock of fire-extinguishing agents of the kind or kinds, and meeting the performance standards, required by the applicable standards and requirements.
- (2) The fire-extinguishing agents must be held in at least the quantities required by those standards and requirements.

139.795 Extinguishing equipment and vehicles

- (1) There must be, on the aerodrome, vehicles and equipment for delivering extinguishing agent onto a fire.
- (2) There must be at least as many vehicles, and at least as much equipment, as required by the applicable standards and requirements.
- (3) Each vehicle or piece of equipment:
 - (a) must be capable of delivering extinguishing agent onto a fire at at least the rate required by the applicable standards and requirements; and
 - (b) must have at least the performance (in other respects) required by those standards and requirements.
- (4) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (5) Each vehicle and piece of equipment must be in good working order.
- (6) The vehicles must be of a colour permitted by the applicable standards and requirements.
- (7) The provider must keep maintenance instructions for each vehicle and each piece of the equipment, including all the information necessary to permit an appropriately qualified and technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the vehicle or equipment.

139.800 Other vehicles and equipment

- (1) There must be, at the aerodrome, enough vehicles and equipment (other than vehicles and equipment for delivering extinguishing agent onto a fire) to provide the service, in accordance with the applicable standards and requirements.
- (2) The performance of the vehicles and equipment must be in accordance with the applicable standards and requirements.
- (3) The vehicles must carry ancillary equipment in accordance with the applicable standards and requirements.
- (4) The provider must keep maintenance instructions for each piece of the provider's equipment, including all the information necessary to permit a technically competent person to carry out maintenance, performance monitoring, defect reporting, fault reporting and record-keeping on or for the equipment.

139.805 Vehicles and equipment for firefighting and rescue in difficult environments

- (1) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, there must be appropriate vehicles, boats and equipment for firefighting and rescue in that environment within 1 000 metres of the threshold of each runway.
- (2) The vehicles, boats and equipment must be in at least the numbers and quantity required by the applicable standards and requirements.
- (3) The vehicles and boats must be of a colour required or permitted by the applicable standards and requirements.

139.810 Commissioning of certain equipment

An ARFFS provider must not begin to use a piece of operational equipment for the purpose of an ARFFS unless the equipment has been approved by CASA as conforming to specifications and any applicable standards, in accordance with the operator's aerodrome manual, and any applicable standards or requirements in the Manual of Standards.

139.815 Protective clothing and equipment

At the aerodrome there must be, for the firefighters and rescue personnel:

- (a) protective clothing that complies with:
 - (i) if there is a relevant Australian Standard (as in force immediately before this regulation commences) — that Standard; or
 - (ii) if there is no such Australian Standard — any relevant internationally recognised standard;in at least the quantity required by the applicable standards and requirements; and
- (b) other protective equipment in the quantity required by, and of a kind in accordance with, those standards and requirements.

139.820 Communications

- (1) There must be, on the aerodrome, sufficient communications equipment available to provide communication during an ARFFS operation.
- (2) The vehicles used for the service must carry suitable communications equipment.
- (3) A person who is required to operate the equipment must hold a licence or certificate of a kind mentioned in paragraph 83 (1) (d) of CAR 1988 and appropriate to the equipment.
- (4) The equipment must not interfere, when in use, with communications equipment used by the air traffic service at the aerodrome.

139.825 Test and maintenance equipment

- (1) The provider must have the necessary equipment and tools, in accordance with the applicable standards and requirements, to test and maintain the equipment used to provide the service.
- (2) If the applicable standards and requirements require particular test or maintenance equipment, particular kinds of test or maintenance equipment, or particular numbers or quantities of a particular type of test or maintenance equipment, the provider must have that equipment or that number or quantity of that type of equipment.

139.830 Commissioning of new vehicles and equipment

The provider must not put a new vehicle, or a new item of equipment that affects the quality or rate of discharge of extinguishing agent, into service unless:

- (a) the vehicle or equipment has been approved by CASA, for conformity to specification and the applicable standards and requirements, in accordance with the provider's operations manual; and
- (b) CASA has acknowledged that the vehicle or equipment meets the applicable standards and requirements; and
- (c) any necessary personnel training has been completed.

139.835 Number of operating personnel

- (1) During any period announced in ERSA as a period during which ARFFS is available at an aerodrome, there must be enough trained personnel available at the aerodrome to operate the equipment and vehicles required to provide the service at full capacity.

- (2) Those personnel must be stationed at places that allow the ARFFS to respond to an emergency at least as quickly as required by the applicable standards and requirements.

139.840 Medical standard of firefighters

- (1) The people employed as firefighters must meet the medical standard for firefighters set out in the Manual of Standards.
- (2) There must be a system of continuing medical checks for the people employed as firefighters that ensures that the ARFFS provider knows whether or not those people continue to meet that standard.

139.845 Qualifications and training of firefighters

- (1) The people employed as firefighters must already be trained to at least AFC Certificate 2 standard, or, if for a particular position the Manual of Standards specifies a higher standard, that higher standard.
- (2) Before being used in any operational capacity, those people must also receive, or have received, appropriate training in dealing with hazards specific to aviation accidents and incidents, to the extent that such training is not part of the training required for an AFC Certificate 2.
- (3) The people employed as firefighters must receive appropriate training to familiarise them with local conditions.
- (4) There must be ongoing training for the people employed as firefighters to ensure that they continue to meet that standard.
- (5) If a significant proportion of aircraft movements at the aerodrome take place over water, swamp or another difficult environment, the firefighters must be appropriately trained to carry out their functions in that environment.

139.850 Operations manual

- (1) There must be an operations manual for the service that complies with the standards set out in the Manual of Standards.
- (2) The operations manual must include a chart showing the organisations that provide services to the provider, setting out the roles and responsibilities of those organisations and how those roles and responsibilities affect the Aerodrome Emergency Procedures for the aerodrome concerned.

- (3) The operations manual must be kept up to date.
- (4) Each of the provider's employees must have ready access to an up-to-date copy of the operations manual.
- (5) The provider must give CASA a copy of the operations manual, and of any changes to it.
- (6) There must be an up-to-date copy of the operations manual at each operational station.
- (7) The provider must comply with the requirements of the operations manual.

139.855 Amendment of operations manual

- (1) An ARFFS provider may amend its operations manual, but an amendment is of no effect until approved in writing by CASA.
- (2) CASA may direct an ARFFS provider to amend its operations manual in a way specified in the direction.
- (3) The provider must comply with the direction.

139.860 Voice data recording

There must be a system to record electronically, in accordance with the standards or requirements set out in the Manual of Standards, any voice communication by radio or telephone in the course of an ARFFS operation.

139.865 Record of accidents or incidents

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to record the details of any aircraft accident or incident, or building fire, in relation to which the service is required to take any action.

139.870 Contingency plan

- (1) There must be a plan, in accordance with the standards or requirements set out in the Manual of Standards, of the procedures to be used in the event of an emergency that results, or may result, in the service being interrupted.
- (2) The plan must include at least the following:
 - (a) actions to be taken by firefighters and rescue personnel;
 - (b) possible alternative arrangements for providing the service (including arrangements for procuring any necessary replacement vehicles or spare parts, or supplies of extinguishing materials);
 - (c) notification procedures;
 - (d) procedures for re-establishing normal services.

139.875 Records management

- (1) There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to collect, index, store and maintain the records relating to the service.
- (2) The records must include:
 - (a) voice records made under regulation [139.860](#); and
 - (b) records of accidents or incidents made under regulation [139.865](#).
- (3) A record must be kept for 5 years (or a shorter period specified for the particular kind of record in the Manual) after the date to which it relates.

139.880 Organisation

The provider must, at all times, maintain an appropriate organisation with a sound and effective management structure, having regard to the nature of the service it provides.

139.885 System for rectification of service failures

There must be a system, in accordance with the standards or requirements in the Manual of Standards, to rectify any failure that results or may result in an interruption in the service or a reduction in the standard of the service.

139.890 Quality control

There must be a system, in accordance with the standards or requirements set out in the Manual of Standards, to ensure that the service complies with the requirements of this Subpart.

139.895 Change management

There must be a system, in accordance with the Manual of Standards, to manage changes in:

- (a) equipment and procedures; and
- (b) what the service does; and
- (c) the level or kinds of service provided; and
- (d) the way the service is provided.

139.900 Safety management

There must be a safety management system for the service, in accordance with the standards or requirements in the Manual of Standards, including the policies, procedures and practices necessary to provide the service safely.

139.905 Applicant's organisation

- (1) The provider must tell CASA in writing:
 - (a) who its managers are; and
 - (b) its organisational structure; and
 - (c) how many staff of each class it uses to provide the service.
- (2) The provider must tell CASA in writing about any change in a matter mentioned in paragraph (1) (a), (b) or (c) within 14 days after the change.

139.910 Telling users and CASA about changes

- (1) There must be a procedure, in accordance with the standards and requirements in the Manual of Standards, for an ARFFS provider to give, to aerodrome users, safety-related information about changes, faults or interruptions to the service.
- (2) The procedure must comply with CASA's requirements for reporting information to the Aeronautical Information and Data Service and the Australian NOTAM Office.
- (3) If the provider fails, for a period of 24 hours or longer, to provide the service at the standard required by Division 3, the ARFFS provider for the aerodrome must tell CASA in writing as soon as practicable:
 - (a) why the service is not being provided at that standard; and
 - (b) how long it is likely to be before the service can be resumed; and
 - (c) what action the service provider has taken and will take to resume the service at that standard.

Division 139.H.4 Conduct of ARFFS operations

139.915 Powers of officer in charge or firefighter

(1) In this regulation:

firefighter, in relation to an ARFFS operation for an aerodrome, means:

- (a) somebody employed as a firefighter by the ARFFS provider for the aerodrome; or
- (b) a member of a fire brigade, or of a rescue or fire fighting service, who is taking part in the operation in accordance with an arrangement made with such a brigade or service.

officer in charge, in relation to an ARFFS operation at for aerodrome, means:

- (a) the person appointed under regulation [139.773](#) as officer in charge of ARFFS operations for the aerodrome; or
- (b) if, in accordance with an arrangement made with a fire brigade, or a rescue or fire fighting service, the person in control of the operation is a member of such a brigade or service — that person.

volunteer, in relation to an ARFFS operation, means somebody who has volunteered to help in the operation under the direction of the officer in charge.

(2) For an ARFFS operation for an aerodrome under this Subpart, the officer in charge may:

- (a) give directions that he or she thinks proper to firefighters and volunteers under his or her control; and
- (b) take measures that he or she thinks proper.

(3) Without limiting paragraph (2) (b), the officer in charge may do the following things for the purpose of the ARFFS operation:

- (a) enter (by force, if necessary), take possession of and deal with in any appropriate way, premises, an aircraft or other property;
- (b) close a road or other thoroughfare to traffic;
- (c) use a convenient water supply (including shutting off water supply from a main or pipe to obtain greater pressure or supply);
- (d) disconnect electricity supply to premises;
- (e) remove flammable, explosive or other dangerous material from premises, an aircraft or other property;
- (f) order a person to leave premises, an aircraft or other property;
- (g) remove from the vicinity of the operation a person or thing the presence of whom or which is interfering, or is likely to interfere, significantly with the operation;
- (h) take a fire engine or other fire appliance onto land or premises;
- (i) shore up or destroy a wall or building that is insecure or may be dangerous to persons or property;

- (j) direct or authorise a firefighter or a volunteer to do something that, under this regulation, the officer may do.
- (4) For an ARFFS operation, a firefighter may do something mentioned in paragraph (3) (a), (b), (c), (d), (e), (f) or (h) without authorisation under paragraph (3) (j) if there are reasonable grounds for believing that, for the operation:
- (a) it is necessary or desirable to do the thing; and
 - (b) it is not practicable for him or her to get authorisation to do so.
- (5) A person is guilty of an offence punishable by a fine of 10 penalty units if he or she fails to comply with:
- (a) a direction of the officer in charge under paragraph (3) (f); or
 - (b) a direction of the kind mentioned in that paragraph, given by a firefighter or volunteer, if:
 - (i) the firefighter or volunteer has been authorised under paragraph (3) (j) by the officer in charge to give it; or
 - (ii) the conditions in paragraphs (4) (a) and (b) are satisfied in relation to the direction.

Division 139.H.5 Administration

139.920 Definition for Division

In this Division:

show cause notice means a notice under regulation [139.1015](#).

139.925 How to apply for approval as ARFFS provider

- (1) A person is eligible to apply for approval as an ARFFS provider if:
 - (a) the person is mentioned in column 2 of an item in [table 139.925](#); and
 - (b) the application relates to an aerodrome mentioned in column 3 of that item.
- (2) The application must be in writing.
- (3) The application:
 - (a) must set out the applicant's name and address; and
 - (b) if the applicant is a legal person that is not an individual — must set out the applicant's registered address, ACN and the names and addresses of its officers; and
 - (c) must include any other information required by or under these Regulations; and
 - (d) must be accompanied by any other document required by or under these Regulations.
- (4) In paragraph (3) (b):

officers of an *applicant*:

 - (a) if the applicant concerned is incorporated under the Corporations Law — has the meaning given by section 82A of that Law; and
 - (b) in the case of any other applicant — means the people responsible for its management and control, and includes anybody with whose directions or wishes the applicant ordinarily complies.
- (5) The applicant must include with the application:
 - (a) a copy of the applicant's operations manual, prepared as if the applicant were an approved provider; and
 - (b) information that will enable CASA to decide whether or not the applicant is of sound financial standing; and
 - (c) a statement of the intended location and category of the service to be provided.

Table 139.925

Item	Applicant	Aerodrome
1	the Commonwealth	any aerodrome
2	AA	any aerodrome
2A	Delta Fire Service Pty. Ltd.	Townsville Airport
3	Broome Airport Services Pty Ltd	Broome International Airport
4	Administration of Norfolk Island	Norfolk Island International Airport
5	a person who is to provide an ARFFS at a particular aerodrome: (a) in cooperation with AA, in accordance with paragraph 11 (3) (b) of the <i>Air Services Act 1995</i> ; or (b) by arrangement with AA, in accordance with paragraph 11 (3) (c) of the <i>Air Services Act 1995</i>	the aerodrome mentioned in column 2
6	a person who is to provide an ARFFS in accordance with an arrangement mentioned in paragraph 216 (1) (e) of the <i>Airports Act 1996</i>	the aerodrome specified in the arrangement mentioned in column 2

139.930 Who to apply to

An application must be made to CASA.

139.935 Application for approval when approval cancelled previously

If a person who applies for an approval as an ARFFS provider has previously been approved as an ARFFS provider, and that approval was cancelled for a reason mentioned in regulation [139.1020](#), the applicant must include with the application any available evidence tending to show that the applicant could now properly exercise the powers or carry out the functions of an approved ARFFS provider.

139.940 Other things CASA can ask applicant to do — interview

- (1) CASA may ask an applicant in writing to have a specified officer or officers of the applicant come to a specified CASA office at a specified reasonable time to be interviewed.
- (2) If CASA asks an applicant to have an officer come for interview under subregulation (1), CASA need not begin to consider, or may stop considering, the application until the applicant's officer or officers participates or participate in the interview.
- (3) In subregulations (1) and (2), *officer* of an applicant has the same meaning as in regulation [139.925](#).

139.945 Other things CASA can ask applicant to do — provide more information

- (1) If CASA reasonably needs more information or another document to allow it to consider an application, CASA may ask the applicant in writing to give it information, or a copy of a document, specified in the request.
- (2) If CASA asks for more information, or a copy of a document, under subregulation (1), CASA need not begin to consider, or may stop considering, the application until the applicant gives it the information or copy.

139.950 Statutory declarations to verify applications

- (1) CASA may ask an applicant to verify, by statutory declaration, any statement in an application.
- (2) If CASA asks an applicant to verify a statement under subregulation (1), CASA need not begin to consider, or may stop considering, the application until the applicant gives it the statutory declaration.

139.955 Matters that CASA may or must take into account

- (1) In making a decision on an application, CASA may take into account:
 - (a) anything in the application or in any other document submitted by the applicant; and
 - (b) anything in its records about the applicant; and
 - (c) the contents of any statutory declaration made by the applicant or an officer of the applicant under regulation [139.950](#).
- (2) However, before taking into account anything in its records about an applicant, CASA must:
 - (a) tell the applicant in writing that it intends to do so, and the substance of what CASA intends to take into account; and
 - (b) invite the applicant in writing to make a written submission about the matter within a specified reasonable time.

- (3) If the applicant makes a written submission within the specified time, CASA must take the submission into account.
- (4) CASA must take into account the applicant's financial standing.
- (5) When deciding whether to approve an applicant that was previously approved as an ARFFS provider, but whose approval was cancelled, CASA must take into account:
 - (a) the fact of the cancellation; and
 - (b) the reasons for the cancellation; and
 - (c) any evidence of the kind mentioned in regulation [139.935](#) that the person submits.

139.960 Statutory declarations to verify statements in submissions

- (1) CASA may ask an applicant to verify any statement in a submission under subregulation [139.955](#) (3) by statutory declaration.
- (2) CASA must, in making a decision on the application concerned, take such a submission into account.
- (3) If CASA asks an applicant to verify a statement under subregulation (1), CASA need not begin to consider, or may stop considering, the application until the applicant gives it the statutory declaration.

139.965 When CASA must grant approval

- (1) If a person has applied for approval as an ARFFS provider in accordance with these Regulations, CASA must grant the approval if:
 - (a) the person satisfies the criteria (however described) for the grant of the approval; and
 - (b) other requirements for the grant of the approval by or under these Regulations by or in relation to the person are satisfied; and
 - (c) no provision of the Act, or another provision of these Regulations, forbids CASA to grant the approval, or makes the person ineligible for the grant of the approval; and
 - (d) granting the approval would not be likely to have an adverse effect on the safety of air navigation.
- (2) CASA may grant the approval in respect of only some of the matters sought in the application.
- (3) CASA may approve an application only if CASA approves the applicant's draft operations manual.
- (4) CASA must not approve the draft operations manual unless the draft manual complies with the relevant requirements in the Manual of Standards.
- (5) CASA may grant the approval subject to:
 - (a) any conditions specified in these Regulations, or in Civil Aviation Orders, as applicable to the approval; and
 - (b) any other condition necessary in the interests of the safety of air navigation.

- (6) In particular, if the application is made by a person mentioned in column 2 of item 1, 2, 5 or 6 of [Table 139.925](#) in relation to an ARFFS at the corresponding aerodrome, CASA may impose any condition necessary to give effect to an arrangement mentioned in subsection 11 (3) of the *Air Services Act 1995*.

139.970 When decision must be made

- (1) If CASA does not make a decision about an application within 21 days after receiving it, CASA is taken to have refused the application.
- (2) However, if CASA makes a request under regulation [139.940](#) or [139.945](#), the time between when CASA makes the request, and when the applicant's officer or officers participates or participate in the interview, or gives CASA the information or copy requested, does not count towards the period.
- (3) Also, if CASA asks an applicant to make a statutory declaration under regulation [139.950](#) or [139.960](#), the time between when CASA asks the applicant to do so and when the applicant gives CASA the statutory declaration does not count towards the period.
- (4) Also, if CASA invites an applicant to comment under subregulation [139.955](#) (2), the time between when CASA gives the invitation and when the applicant comments does not count towards the period.

139.975 Notice of decision

After making a decision on an application, CASA must tell the applicant in writing, as soon as practicable:

- (a) the decision; and
- (b) if the decision was to refuse the application, or to grant the approval subject to a condition not sought by the applicant — the reasons for the decision.

139.980 When approval comes into effect

An approval comes into effect:

- (a) on a day stated in the notice under regulation 139.975; or
- (b) if no day is so stated — on the date of the notice.

139.985 Certificate about approval

- (1) CASA must issue to an approved ARFFS provider a certificate setting out:
 - (a) the name and address of the provider; and
 - (b) if the approved provider is a corporation, its registered address and ACN; and
 - (c) the date of effect of the approval; and
 - (d) the location and category level for each aerodrome at which the provider is authorised to provide an ARFFS; and
 - (e) any conditions of the approval.
- (2) CASA may issue a replacement certificate if anything set out on a certificate is no longer correct.

139.990 Return of certificate if approval cancelled

- (1) If CASA cancels the approval of an approved ARFFS provider, the person who was the approved ARFFS provider must return the person's certificate to CASA immediately.

Penalty: 1 penalty unit.

Note A person is not guilty of an offence of failing to do something that he or she is not capable of doing: see section 4.2 of the *Criminal Code*.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note For *strict liability*, see section 6.1 of the *Criminal Code*.

- (3) It is a defence to a charge of contravening subregulation (1) that the defendant returned the certificate to CASA as soon as practicable.

Note A defendant bears an evidential burden in relation to the matter mentioned in subregulation (3).

139.995 Application for variation of approval

- (1) An approved ARFFS provider may apply to vary its approval.
- (2) Regulations 139.925 to 139.980 apply to the application except that the applicant need not give CASA information, or a document, that the applicant has already given to CASA.

139.1000 CASA's power to vary condition of approval

- (1) If necessary in the interests of the safety of air navigation, CASA may impose a condition on, or vary a condition of, the approval of an approved ARFFS provider.
- (2) CASA must give the provider notice in writing of the imposition or variation, and must specify a reasonable period within which the provider may make a submission in relation to the imposition or variation.
- (3) Unless CASA withdraws the condition or variation, the condition or variation has effect at:
 - (a) the end of that period; or
 - (b) a later time stated for the purpose in the notice.

139.1005 Suspension or continued suspension of approval by show cause notice

- (1) CASA may state, in a show cause notice, that the approval as an approved ARFFS provider of the ARFFS provider concerned is suspended if CASA reasonably considers that not suspending the approval would be likely to have an adverse effect on the safety of air navigation.

Note Regulation 201.4 provides for review of certain decisions by the Administrative Appeals Tribunal.

- (2) If a show cause notice states that the approval is suspended:
 - (a) if the approval is already suspended when the show cause notice is given to the holder — the approval continues to be suspended until CASA revokes the suspension, or the suspension lapses under subregulation (4); or
 - (b) the approval is suspended from when the notice is given to the approved ARFFS provider concerned.
- (3) CASA may revoke the suspension at any time.
- (4) If CASA has not cancelled the approval within 90 days after the day the show cause notice is given to the provider, the suspension lapses at the end of that period.

139.1010 Grounds for cancellation of approval

It is grounds for the cancellation of the approval of an approved ARFFS provider if the provider:

- (a) has breached a condition of the approval; or
- (b) has contravened the Act or these Regulations; or
- (c) has otherwise been guilty of conduct that renders the holder's continued holding of the approval likely to have an adverse effect on the safety of air navigation.

Note Regulation 201.4 provides for review of certain decisions by the Administrative Appeals Tribunal.

139.1015 Notice to approved ARFFS provider to show cause

- (1) CASA may give an approved ARFFS provider a show cause notice if there are reasonable grounds for believing that there are facts or circumstances that amount to grounds for the cancellation of the approval.
- (2) A show cause notice must:
 - (a) tell the provider of the facts and circumstances that justify the cancellation of the approval; and
 - (b) invite the holder to show in writing, within a reasonable period stated in the notice, why the approval should not be cancelled.
- (3) For paragraph (2) (b), the period must not be less than 7 days.

139.1020 Cancellation of approval after show cause notice

- (1) CASA may cancel an approval only if:
 - (a) there exist facts or circumstances that amount to grounds for the cancellation of the approval; and
 - (b) CASA has given the holder a show cause notice in relation to the grounds for the proposed cancellation; and
 - (c) CASA has taken into account any written representations made, within the period stated in the notice, by or on behalf of the holder; and
 - (d) not cancelling the approval would be likely to have an adverse effect on the safety of air navigation.
- (2) If CASA has given a show cause notice to an approved ARFFS provider, and it decides not to cancel the approval, it:
 - (a) must tell the provider in writing of the decision; and
 - (b) must, if the approval is suspended, revoke the suspension.

139.1022 Cancellation if holder ceases to provide ARFFS

- (1) CASA must cancel the approval of a person mentioned in column 2 of item 3 or 4 of [Table 139.925](#) if the person ceases to be an ARFFS provider for the aerodrome mentioned in column 3 of the item.
- (2) CASA must cancel the approval of a person mentioned in column 2 of item 5 of [Table 139.925](#) if the cooperation or arrangement mentioned in that item ceases.
- (3) CASA must cancel the approval of a person mentioned in column 2 of item 6 of [Table 139.925](#) if the arrangement mentioned in that item ceases.

139.1025 Cancellation at request of approved ARFFS provider

- (1) CASA must cancel the approval of an ARFFS provider if asked to do so in writing by the provider.
- (2) The cancellation takes effect when the request is given to CASA, or if a later day is stated in the request, on the later day.

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