



Brunei Department of Civil Aviation
Negara Brunei Darussalam
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ADR 025

**Procedures For Accepting Non-Compliances
(Exemption)**
Version 1.1

Guidance to Aerodrome Inspectors and Aerodrome Operators for
Exemption

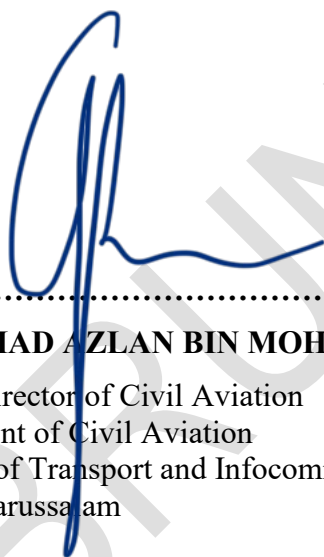
Foreword

This Civil Aviation Procedure ADR 025 is issued by the Department of Civil Aviation to provide information and guidance how the aerodrome inspector/staff will implement procedures for accepting, assessing, and issuing non-compliance (exemptions) against standards, regulations and other requirements in the process of aerodrome certification or after the grant of aerodrome certificate, pursuant to Brunei Aviation Requirement, BAR 14 Vol. I – Aerodrome.

Organisations shall use these guidelines to ensure compliance with the respective provisions of the relevant BAR's issued.

This manual may be updated from time to time based on suggestions received or to incorporate any changes in the guidance and procedures

Approved by:



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MOHAMAD AZLAN BIN MOHAMMAD JUNAIDI

Acting Director of Civil Aviation
Department of Civil Aviation
Ministry of Transport and Infocommunications
Brunei Darussalam

(Date: 16 June 2026)



1. INTRODUCTION

- 1.1 An Aerodrome certificate holder is expected to comply with the Standards of BAR 14 , Volume I, . The procedures in this document do not substitute or circumvent the provisions contained in the aforementioned publications.
- 1.2 There may be some circumstances where requirements have not been practically possible to follow at an existing aerodrome due to physical constraints, infrastructure development, changes to requirements, temporary accommodation of aircraft larger than the aerodrome design aircraft, etc. Similarly, in some cases, compliance is not possible even for a new aerodrome due to physical constraints, technical or economic difficulties.
- 1.3 At existing aerodromes where full compliance with standards cannot be achieved, alternative measures will be required to achieve an equivalent level of safety performance. The aerodrome regulators and operators need to follow the specified procedures to be applied to both initial aerodrome certification and continuous aerodrome safety oversight, as well as aerodrome compatibility studies where full compliance with the standard in BAR 14 , Volume I, cannot be achieved.

Non-Compliances

- 1.4 Non-compliances are usually found in infrastructural elements and in operational elements. The infrastructural elements concerned include aeronautical data, obstacle limitation surfaces, visual and non-visual aids, electrical power supply systems for air navigation services, and physical characteristics (such as runway / taxiway / apron design, runway end safety area [RESA], runway strip, fencing, etc.). Similarly, operational elements concerned include aerodrome emergency planning, aerodrome maintenance, rescue and firefighting, low visibility operations etc. A number of non-compliances exist because of the lack of standardized procedures for the systematic recording of deviations from the design and operating requirements.
- 1.5 Some common non-compliant elements examples to the ICAO SARPs at medium and large aerodromes are runway strips, RESA, separation between runway and parallel taxiways, approach surface, and mandatory instruction signs. There may be further non-compliances in relation to aerodrome maintenance, aerodrome emergency planning, electrical power supply system, aeronautical data specifications and obstacle limitation surfaces. Aerodrome operators sometimes are not aware of possible infringements of the obstacle limitation surfaces as per standards in BAR 14 Volume I . The main reasons are the lack of well-defined responsibility for the assessment of obstacles and the relative complexity of the task.
- 1.6 The tools most frequently used to evaluate non-compliance to any relevant national regulations are either audits by the regulatory authorities (e.g. Civil Aviation Authority) during the certification process or internal SMS audits by the aerodrome operators.

Purpose

- 1.7 The purpose of this ADR 029 procedure is to harmonize the acceptance of non-compliance (exemption) for aerodromes which do not conform to Standards contained in the BAR 14 , Volume I during the aerodrome certification process.
- 1.8 When non-compliances are present, the effect on safety needs to be analyzed, and measures and/or limitations on its use to mitigate any non-compliance have to be established. The harmonization of this aspect of the certification process is therefore important for ensuring safety. Safety risk assessment shall be conducted before the regulatory authorities grant exemptions for non-compliances.

1.9 The above-mentioned situations require procedures for accepting non-compliance (exemption) in respect of a certified or to-be certified aerodrome.

2. PROCEDURE FOR ACCEPTING NON-COMPLIANCES

2.1 One of the aims of a certification of aerodrome process is to ensure compliance with all relevant and applicable legal requirements, technical requirements and procedures. Ensuring compliance with the requirements for aerodrome design, organizational factors, operations, and approved procedures, programmes and plans, is a key element of maintaining acceptable level of safety at an aerodrome. The goal is to require the non-compliances to be corrected and to deal with the situations where correction is not possible, either due to physical constraints such as terrain etc.

2.2 The managing of non-compliances/deviations, generally jointly by the BRUNEI DCA [RASS] and the aerodrome operator, has the following major considerations:

- Affected parameters (Standards);
- Differences between ICAO and national requirements;
- Extent and duration of deviation;
- Traffic density of the aerodrome;
- Whether an effective SMS is in place in the aerodromes;
- Safety culture at aerodromes ; and
- Capability for evaluating the impact of deviations e.g. safety risk assessments or aeronautical studies.

2.3 When non-compliances are present, the effects on safety need to be analyzed, and measures and/or limitations on its use to mitigate any non-compliance have to be established. The harmonization of this aspect of the certification process is therefore important for ensuring safety. Safety risk assessment or aeronautical study shall be conducted and submitted before granting exemptions for non-compliances, which is specified in BAR 14 Volume I Chapter 11, ICAO Safety Management Manual (Doc 9859) and PANS-Aerodromes (Doc 9981) can be considered.

2.4 Non-compliances are only accepted after mitigation measures have been established, documented, implemented and recorded to the satisfaction of Brunei DCA [RASS], so that an equivalent level of safety performance could be achieved. In other words, exemptions will only be granted if it can be demonstrated that the proposed operation can achieve an equivalent level of safety consistent with the highest standards of safety and the integrity of the aviation system.

Applying for an Exemption

2.5 The aerodrome certificate holder shall submit separate application for each non-compliance in the prescribed format for seeking exemption. (Refer to Appendix I - Application for seeking Exemption). The application for exemption shall be made through the submission of a comprehensive safety risk assessment or aeronautical study report, supported with the reasons for non-compliance, means of mitigation and indication as to when compliance can be achieved. Furthermore, the following points should be considered while requesting the exemption for non-compliances:

- Ensure that the exemption application is given proper consideration and that compliance with standards is not possible or, where permitted, not reasonably practical;

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- Ensure that an exemption is absolutely necessary rather than a convenient method of circumventing the standard requirements;
- The reasons why the applicant needs the exemption. The reasons provided should be detailed and fulsome;
- If the application is for a renewal of an existing exemption, the application need not contain information which has been previously supplied. However, the application must include reasons why a renewed exemption is required;
- Considerable research and investigation is often required; and
- Application not completed in all respect and not accompanied with relevant enclosures will be rejected.

An exemption application must consist of the following documents

- A completed form (Appendix 1 – Application seeking for Exemption)
 - Including all legal details of the Aerodrome Operator, the [Accountable Manager], the Aerodrome Certificate, and a Point of Contact, as well as the standards against which the exemption is sought, an overview of the circumstances that prevent compliance with the standards, and an overview of the proposed mitigation measures for achieving an equivalent level of safety.
- A safety case
 - Detailing the context of the exemption request, the particulars of the proposed operation, analysis of potential safety risks, proposed mitigation measures, and a comparison to the existing standards with a determination of the equivalent level of safety.
- Supporting documentation
 - Such as detailed safety risk analysis, proposed aerodrome manual amendments, draft procedures, design drawings, and equipment specifications.
- Previous exemption documentation
 - If applying for renewal of an exemption, a copy of the existing exemption shall be provided with annual review of the exemption

2.6 In considering an application for exemption from BAR 14 Standard which have been incorporated into the national regulations, Brunei DCA RASS needs to consider aviation safety as the paramount consideration. Keeping this in mind, Brunei DCA RASS may ask the applicant to provide further information, a copy of specific documents and undertake a test or tests of competence.

2.7 The Brunei DCA RASS will not accept poor planning as suitable justification. Even if the application is accepted, the exemption will be subject to a full assessment and no guarantees regarding decision time frames.

2.8 Operational restrictions are the most often mitigation measures for non-compliances. Safety risk assessments are mostly conducted to analyze the impact on safety. In aerodromes with less traffic throughput, non-compliances may be accepted with a simplified procedure. The same simplified procedure may be applied for very minor non-compliances at busier aerodromes which may only have minimal effect on aviation safety.

2.9 When Brunei DCA RASS is satisfied with the application, Brunei DCA RASS will issue an exemption to the aerodrome operator. Examples of exemption is available in **Appendix IV**.

Note – Refer to paragraph 3 for the acceptance of safety risk assessment.

2.10 In the meantime, the aerodrome operator shall be required to conduct annual review to ascertain that the mitigation measures are in place and effective. The review should also consider whether

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the non-compliance could be removed from Brunei DCA RASS findings. The outcomes of the review are required to be documented in the report to be submitted to Brunei DCA for consideration.

2.11 Furthermore, the accepted non-compliances shall be published in the AIP by the Aerodrome Operator if it is related to ICAO Standards, in accordance with Annex 15 Chapter 5. An example is available in **Appendix V**.

3. ACCEPTANCE OF A SAFETY RISK ASSESSMENT PROCEDURE

3.1 The safety risk assessment conducted by the aerodrome operator is a core SMS function. Management approval and implementation of the safety risk assessment, including future updates and maintenance, are the responsibility of the aerodrome operator. The Brunei DCA RASS may, depending on the need and complexity of the application, require the submission of the specific safety risk assessment for acceptance.

3.2 The safety risk assessment process is as per **Appendix II**.

3.3 The Brunei DCA RASS may establish the type of safety risk assessments that are subject to acceptance and determines the process used for that acceptance.

3.4 In connection with paragraph 3.1, where required, a safety risk assessment shall be submitted by the aerodrome operator to Brunei DCA RASS for acceptance prior to the acceptance of non-compliances.

3.5 The Brunei DCA RASS shall analyse the safety risk assessment and verify that:

- appropriate coordination has been satisfactorily performed among the concerned stakeholders;
- the risks have been properly identified and assessed, based on documented arguments (e.g. physical or Human Factors studies, analysis of previous accidents and incidents);
- the proposed mitigation measures adequately address the risk and bring the risk to an acceptable level; and
- the time frames for planned full compliance are acceptable.

Note. — It is preferable to work with a team of the BRUNEI DCA operational experts in the areas considered in the safety risk assessment.

3.6 On completion of the analysis of the safety risk assessment, the Brunei DCA RASS:

- either gives formal acceptance of the safety risk assessment to the aerodrome operator as specified in paragraph 3.1; or
- if some risks have been underestimated or have not been identified, coordinates with the aerodrome operator to reach an agreement on safety acceptance; or
- if no agreement can be reached, rejects the proposal and notifies the Applicant for possible resubmission by the aerodrome operator. This notification must state the reasons for the immediate rejection and advise the Applicant to resubmit the application once the deficiencies are addressed.

3.7 The Brunei DCA RASS may also opt to impose additional conditions to ensure safety.

3.8 The Brunei DCA RASS shall ensure that the mitigation and/or additional conditions imposed as per paragraph 3.7 are properly implemented and that they fulfil their purposes.

Exemption Decision

- 3.9 The final exemption is to be signed by the Director of Civil Aviation and sent to the Brunei DCA RASS for dispatch to the Applicant.

Monitoring & Revocation

Surveillance

- 3.10 The Brunei DCA RASS shall conduct targeted or general surveillance of an Aerodrome Operator's compliance with aerodrome standards including any relevant exemptions and their conditions.
- 3.11 Such audits and inspections will be conducted in accordance with general surveillance procedures with any initial identification of non-compliance managed under the same procedures.
- 3.12 Any failure by the Aerodrome Operator to address such non-compliance in accordance with standard surveillance procedures or any subsequent non-compliances relating to the same exemption must be addressed the procedures outlined below.

Revocation

- 3.13 The Brunei DCA RASS may revoke an exemption, at any time, in the interests of aviation safety. This may occur due to the Aerodrome Operator not complying with the conditions of the exemption or circumstances arising that result in a lower than equivalent level of safety.
- 3.14 When revoking an exemption, the Brunei DCA RASS must notify the Aerodrome Operator of its intention and provide them with an opportunity to respond. The Aerodrome operator must provide this response within 14 days.
- 3.15 The Brunei DCA RASS must consider this response in making the final decision to revoke the exemption.
- 3.16 The above notification is not required with the circumstances in question present a serious and imminent risk to aviation safety or where the applicant has been found guilty of breaching a condition of the exemption or a related provision of the legislation.
- 3.17 The Brunei DCA RASS may also revoke an exemption on request of the Aerodrome Operator.
- 3.18 When the Brunei DCA RASS revokes an exemption, it must notify the Aerodrome Operator in writing and provide justification for its decision.

APPLICATION FOR SEEKING EXEMPTION

Request made to : Deputy Director of Civil Aviation (Regulator), Department of Civil Aviation

Aerodrome Name			
Aerodrome Operator			
Certificate Number		[] Not Available	
Accountable Manager			
Point of Contact Name			
Email		Phone	+673-
Relevant BAR 14 Standard(s)			
REASONS why exemption is needed <i>(The reasons provided should be detailed and self-explanatory)</i>			
[] further details contained in attached safety risk assessment			
Proposed method for achieving an equivalent level of safety			
[] further details contained in attached safety risk assessment			
The Category of exemption sought		[] TEMPORARY / [] PERMANENT	
<i>For temporary exemption, the correction action plan for rectification and review of non-compliance, including the mitigation measures adopted for ensuring the safety during the exemption period shall be enclosed</i>			
<i>For permanent exemption, the mitigation measures adopted to ensure safety of aircraft operation. Complete safety risk assessment report shall be enclosed</i>			
Proposed Start Date		Proposed End Date	
Attachments	[] Safety risk assessment	[] Supporting documentation	[] Existing exemption, if applicable
Declaration			
<i>I declare that that all statements in this application are true and correct in every particular and that I have read and understood all provisions of the civil aviation regulation which are relevant to this application.</i>			
Signed		Date	

SAFETY RISK ASSESSMENT PROCESS

1. Introduction

- 1.1 The primary objective of a safety risk assessment is to assess the impact of a safety concern, such as a design change or deviation in operational procedures at an existing aerodrome.
- 1.2 Such a safety concern can often impact multiple stakeholders; therefore, safety assessments often need to be carried out in a cross-organizational manner, involving experts from all the involved stakeholders. Prior to the assessment, a preliminary identification of the required tasks and the organizations to be involved in the process is conducted.
- 1.3 The Brunei DCA RASS must review the safety case within the context that it is submitted and in consideration of Brunei legislation and best practice.
- 1.4 Overall, the burden to satisfy the Brunei DCA RASS rests with the Applicant. The information presented in the safety case must assure the Brunei DCA RASS that an equivalent level of safety can be achieved.
- 1.5 A safety assessment is initially composed of four basic steps:
 - definition of a safety concern and identification of the regulatory compliance;
 - hazard identification and analysis;
 - risk assessment and development of mitigation measures; and
 - development of an implementation plan for the mitigation measures and conclusion of the assessment.
- 1.6 When assessing a safety case, an Assessment Officer should consider the following (the 3 C's). They should ask, is the safety case:
 - Complete – Does the application address all the relevant criteria, issues, hazards, risks, controls, etc.?
 - Coherent – Is the application addressing the relevant standards, the safety issues raised and the identified hazards/risks?
 - Consistent – Are the risk management identified in the safety case techniques (such as identification, scoring and evaluation) used consistently throughout the process?
- 1.7 If a safety case contains detailed technical analysis, the Brunei DCA RASS may consult with other experts or may request further information from the Applicant. Likewise, if any deficiencies in the safety case are identified, the Brunei DCA RASS should contact the Applicant's Point of Contact and request further information or clarification.

Determining if an Equivalent Level of Safety is Achieved

- 1.8 The final decision on any exemption application is whether the Brunei DCA RASS believes that the safety case outlines a set of circumstances where the resulting level of safety is at least equivalent to that expected under full compliance with the standards.
- 1.9 Overall, this determination is a question of comparing the safety risk under the "normal" operation and the safety risk under the proposed operation. While the form of this determination may vary depending on the situation, the following considerations should be contemplated:

- In a scenario where the standard cannot be implemented, do the alternative risk controls address the hazard/risk associated with the original standard and any other induced risk?
- In a scenario where the hazard/risk associated with the original standard is not present or very low, do the actual conditions permit the exemption from the standard either with or without alternative risk controls?
- In a scenario where the proposed operation may introduce hazards/risks if the original standard is implemented, do the alternative risk controls address these new hazards/risks and any other induced risks?

2. Definition of a safety concern and identification of the regulatory compliance

- 2.1 Any perceived safety concerns are to be described in detail, including timescales, projected phases, location, stakeholders involved or affected as well as their potential influence on specific processes, procedures, systems and operations.
- 2.2 The perceived safety concern is first analysed to determine whether it is retained or rejected. If rejected, the justification for rejecting the safety concern is to be provided and documented.
- 2.3 An initial evaluation of compliance with the appropriate provisions in the regulations applicable to the aerodrome is conducted and documented.
- 2.4 The corresponding areas of concern are identified before proceeding with the remaining steps of the safety risk assessment, with all relevant stakeholders.
- 2.5 If a safety risk assessment was conducted previously for similar cases in the same context at an aerodrome where similar characteristics and procedures exist, the aerodrome operator may use some elements from that assessment as a basis for the assessment to be conducted. Nevertheless, as each assessment is specific to a particular safety concern at a given aerodrome the suitability for reusing specific elements of an existing assessment is to be carefully evaluated.

3. Hazard identification and analysis

- 3.1 Hazards related to infrastructure, systems or operational procedures are initially identified using methods such as brain-storming sessions, expert opinions, industry knowledge, experience and operational judgement. The identification of hazards is conducted by considering:
 - accident causal factors and critical events based on a simple causal analysis of available accident and incident databases;
 - events that may have occurred in similar circumstances or that are subsequent to the resolution of a similar safety concern; and
 - potential new hazards that may emerge during or after implementation of the planned changes.
- 3.2 Following the previous steps, all potential outcomes or consequences for each identified hazard are identified.
- 3.3 The appropriate safety objective for each type of hazard should be defined and detailed. This can be done through:
 - reference to recognized standards and/or codes of practices;
 - reference to the safety performance of the existing system;
 - reference to the acceptance of a similar system elsewhere; and
 - application of explicit safety risk levels.

- 3.4 Safety objectives are specified in either quantitative terms (e.g. identification of a numerical probability) or qualitative terms (e.g. comparison with an existing situation). The selection of the safety objective is made according to the aerodrome operator's policy with respect to safety improvement and is justified for the specific hazard.

4. Risk assessment and development of mitigation measures

- 4.1 The level of risk of each identified potential consequence is estimated by conducting a risk assessment. This risk assessment will determine the severity of a consequence (effect on the safety of the considered operations) and the probability of the consequence occurring and will be based on experience as well as on any available data (e.g. accident database, occurrence reports).
- 4.2 Understanding the risks is the basis for the development of mitigation measures, operational procedures and operating restrictions that might be needed to ensure safe aerodrome operations.
- 4.3 The method for risk evaluation is strongly dependent on the nature of the hazards. The risk itself is evaluated by combining the two values for severity of its consequences and probability of occurrence.

Note. — An example of risk categorization tool in the form of a safety risk matrix is available in Appendix III.

- 4.4 Once each hazard has been identified and analysed in terms of causes, and assessed for severity and probability of its occurrence, it must be ascertained that all associated risks are appropriately managed. An initial identification of existing mitigation measures must be conducted prior to the development of any additional measures.
- 4.5 All risk mitigation measures, whether currently being applied or still under development, are evaluated for the effectiveness of their risk management capabilities.

Note. — The exposure to a given risk (e.g. duration of a change, time before implementation of corrective actions, traffic density) is taken into account in order to decide on its acceptability.

- 4.6 In some cases, a quantitative approach may be possible, and numerical safety objectives can be used. In other instances such as changes to the operational environment or procedures, a qualitative analysis may be more relevant.
- 4.7 Brunei DCA RASS should provide suitable guidance on risk assessment models for aerodrome operators.
- 4.8 In some cases, the result of the risk assessment may be that the safety objectives will be met without any additional specific mitigation measures. This is likely to take place for cases where the level of risk falls into the green zone of the risk matrix.

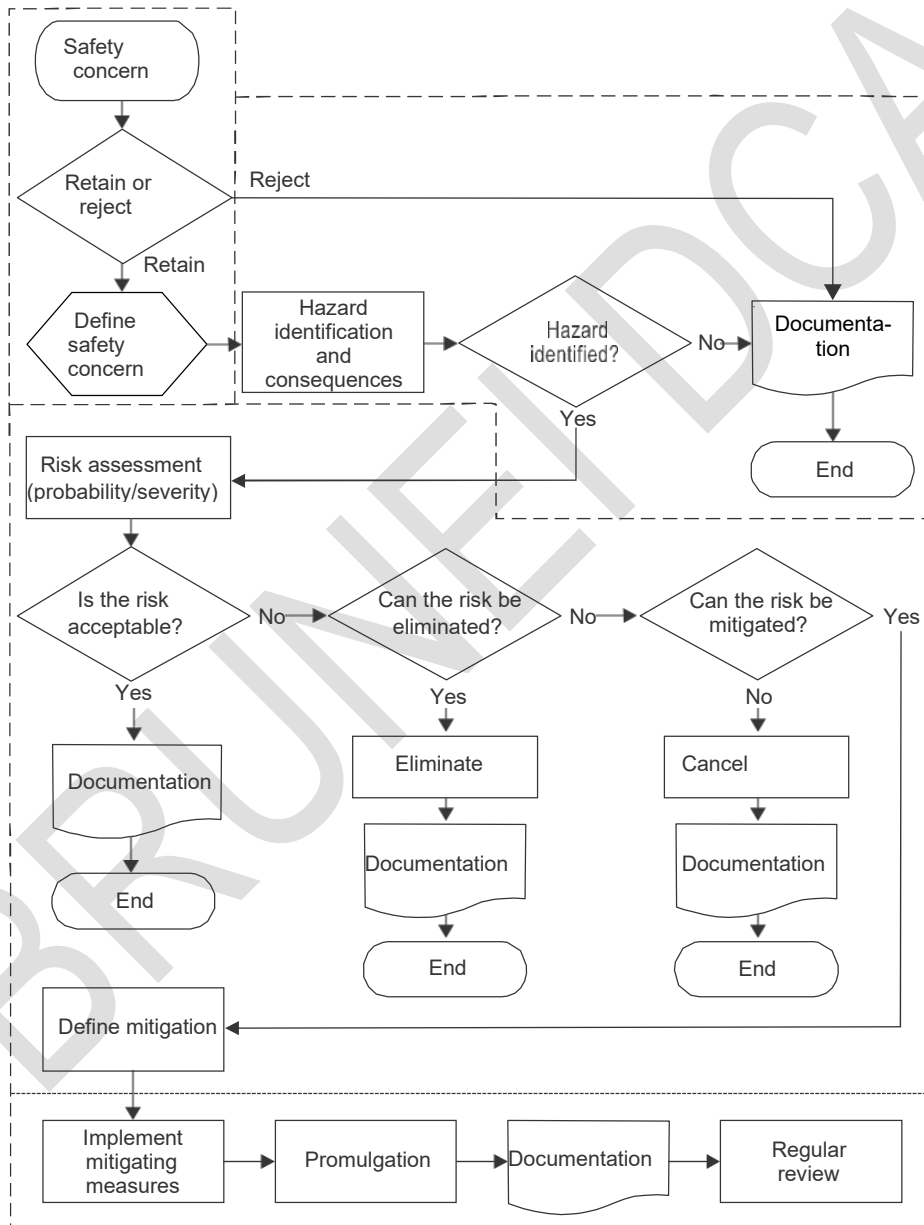
Note – See Appendix III for an example of risk matrix.

5. Development of an implementation plan and conclusion of the assessment

- 5.1 The last phase of the safety assessment process is the development of a plan for the implementation of the identified mitigation measures.

- 5.2 The implementation plan includes time frames, responsibilities for mitigation measures as well as control measures that may be defined and implemented to monitor the effectiveness of the mitigation measures.
- 5.3 Brunei DCA RASS shall regularly review the exemption granted to airport operator to assess their continued validity.
- 5.4 Brunei DCA RASS shall determine if a change in the notification status of differences to SARPs should be filed.

SAFETY RISK ASSESSMENT FLOWCHART



Template of Safety Risk Assessment Report (sample)

Note – This template is meant for providing an example of safety risk assessment report for States / aerodromes. The content of this example is only for illustration, and should not be copied to an aerodrome safety risk assessment even if the subject is the same.

Project / Subject: Aircraft parking stand operations for a new Code E aircraft type (at a parking stand certified for Code E)

	Generic Component of Hazard	Specific components of Hazard (Safety Events)	Ultimate Consequences	Existing Mitigation Measures	Risk Index	Proposed Mitigation Measures	Residual Risk Index	Last Review Date	Next Review Date
1.	<u>Docking of new Code E aircraft type at aircraft parking stand certified for Code E aircraft</u> [Organizational]	Visual docking guidance system (VDGS) could not recognize the new Code E aircraft type	Aircraft overshooting or undershooting the correct parking position Delay in arrival operations	Marshaller on scene to monitor the docking and provide hand signal if needed VDGS shows STOP signal to pilot if unable to recognize type Parking stand under remote surveillance by Apron Control Centre	2D	Nil (as the risk level is acceptable)	2D	1 Aug 2020	1 Oct 2020
2.	<i>ditto</i>	Operator of passenger loading bridge (PLB) unfamiliar with the docking position of new Code E aircraft type	Minor aircraft damage Minor damage to PLB Delay in aircraft turn around operations	PLB operator received briefing on precautions for the new Code E aircrafts before duty Proximity and pressure sensors on PLB Enhanced lighting from PLB control position for night operations	3D	PLB operations supervisor assigned on scene to provide additional guidance for operators during their first 5 docking	2D	1 Aug 2020	1 Oct 2020

3.	<i>ditto</i>	Servicing equipment unable to serve aircraft due to new location / design of doors and servicing pods	Minor aircraft damage Minor equipment damage Delay in turn around operations	Equipment operator received briefing on precautions for the new type before duty Proximity and pressure sensors on equipment	4D	Apron service contractors will assign supervisors / trainers to provide additional guidance Airport operator will conduct random inspections on equipment operations for this new type for 1 month	2D	1 Aug 2020	1 Oct 2020
	[other items]								

Prepared and Assessed by:	<i>(Signature)</i>	Recommended by:	<i>(Signature)</i>
	Name and Post <i>(Appropriate Officer / Manager of Airport Operator)</i> <i>(Could be a group of personnel relevant to the project / subject)</i>		Name and Post <i>(Safety Manager of Airport Operator)</i>
Date:		Date:	
		Approved by:	<i>(signature)</i>
			Name and Post <i>(Accountable Executive of Airport Operator)</i>
		Date:	

Appendix III

Note – The content of this Appendix is extracted / adapted from ICAO Safety Management Manual (Doc 9859) as an example. BRUNEI DCAs are expected to customize the risk matrix to suit their needs.

Example Safety Risk Matrix

		Risk Severity				
		Catastrophic	Hazardous	Major	Minor	Negligible
Risk probability		A	B	C	D	E
Frequent	5	5A	5B	5C	5D	5E
Occasional	4	4A	4B	4C	4D	4E
Remote	3	3A	3B	3C	3D	3E
Improbable	2	2A	2B	2C	2D	2E
Extremely Improbable	1	1A	1B	1C	1D	1E

Example of Safety Risk Tolerability

Safety Risk Index Range	Safety Risk Description	Recommended Action
5A, 5B, 5C, 4A, 4B, 3A	Intolerable	Take immediate action to mitigate the risk or stop the activity. Perform priority safety risk mitigation to ensure additional or enhanced preventative controls are in place to bring down the safety risk index to tolerable.
5D, 5E, 4C, 4D, 4E, 3B, 3C, 3D, 2A, 2B, 2C, 1A	Tolerable	Can be tolerated based on the safety risk mitigation. It may require management decision to accept the risk.
3E, 2D, 2E, 1B, 1C, 1D, 1E	Acceptable	Acceptable as is. No further safety risk mitigation required.

Severity Classification Scheme with Examples

<i>Severity</i>	<i>Meaning</i>	<i>Value</i>	<i>Example</i>
Catastrophic	<ul style="list-style-type: none"> – Equipment destroyed – Multiple deaths 	A	<ul style="list-style-type: none"> – collision between aircraft and/or other object during take-off or landing
Hazardous	<ul style="list-style-type: none"> – A large reduction in safety margins, physical distress or a workload such that the operators cannot be relied upon to perform their tasks accurately or completely – Serious injury – Major equipment damage 	B	<ul style="list-style-type: none"> – runway incursion, significant potential for an accident, extreme action to avoid collision – attempted take-off or landing on a closed or engaged runway – take-off/landing incidents, such as undershooting or overrunning
Major	<ul style="list-style-type: none"> – A significant reduction in safety margins, a reduction in the ability of the operators to cope with adverse operating conditions as a result of an increase in workload or as a result of conditions impairing their efficiency – Serious incident – Injury to persons 	C	<ul style="list-style-type: none"> – runway incursion, ample time and distance (no potential for a collision) – collision with obstacle on apron/ parking position (hard collision) – person falling down from height – missed approach with ground contact of the wing ends during the touchdown – large fuel puddle near the aircraft while passengers are on-board
Minor	<ul style="list-style-type: none"> – Nuisance – Operating limitations – Use of emergency procedures – Minor incident 	D	<ul style="list-style-type: none"> – hard braking during landing or taxiing – damage due to jet blast (objects) – expendables are laying around the stands – collision between maintenance vehicles on service road – breakage of drawbar during pushback (damage to the aircraft) – slight excess of maximum take-off weight without safety consequences – aircraft rolling into passenger bridge with no damage to the aircraft needing immediate repair – Forklift that is tilting – Complex taxiing instructions/ procedures
Negligible	<ul style="list-style-type: none"> – Few consequences 	E	<ul style="list-style-type: none"> – slight increase in braking distance – temporary fencing collapsing because of strong winds – cart losing baggage

Probability Classification Scheme

Probability Class	Meaning
5 Frequent	Likely to occur many times (has occurred frequently)
4 Reasonably probable	Likely to occur sometimes (has occurred infrequently)
3 Remote	Unlikely to occur (has occurred rarely)
2 Extremely remote	Very unlikely to occur (not known to have occurred)
1 Extremely improbable	Almost inconceivable that the event will occur

Sample Exemption issued by CAACASA

Website hosting exemptions:

<https://www.casa.gov.au/rules-and-regulations/current-rules/legislative-and-non-legislative-instruments/non-legislative-instruments>

Some examples from CASA relevant to aerodrome are summarized in the following table. It should be noted that this table and the relevant attachments are prepared for easy reference and should not be seen as endorsing, implying or in any way recommending that certain aspects of aerodromes warrant or do not warrant exemption.

	Topic	URL	Reference
1.	Slopes on Aprons	https://www.casa.gov.au/files/casa-ex4718	Attachment 1 to Appendix IV
2.	Taxiway Centreline Lights Spacing	https://www.casa.gov.au/sites/default/files/casa-ex102-20-taxiway-centreline-lights-spacing-sydney-airport.pdf	Attachment 2 to Appendix IV
3.	High Intensity Approach Light System	https://www.casa.gov.au/sites/default/files/casa-instrument-exemption-25-2019-high-intensity-approach-lighting-system-gold-coast-airport.pdf	Attachment 3 to Appendix IV

New Zealand CAA

Website hosting exemptions: <https://www.aviation.govt.nz/rules/exemptions/>



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX47/18

I, ANDREW MELVIN SPARROW, Acting Branch Manager, Air Navigation, Airspace & Aerodromes, National Operations & Standards Division, Aviation Group, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed A. Sparrow]

Andrew Sparrow

Acting Branch Manager, Air Navigation, Airspace & Aerodromes

National Operations & Standards Division

Aviation Group

11 April 2018

**CASA EX47/18 – Slopes on Aprons (Canberra Airport – Parking Bay 5)
Exemption 2018**

1 Name

This instrument is *CASA EX47/18 – Slopes on Aprons (Canberra Airport – Parking Bay 5) Exemption 2018*.

2 Repeal

Instrument *CASA EX13/18 – Canberra Airport (Slopes on Aprons – Parking Bay 5) Exemption 2018* is repealed.

3 Definitions

aerodrome operator has the same meaning as in paragraph (a) of the definition of that term in CASR.

Canberra Airport means Canberra Airport Pty Limited, ARN 557150, in its capacity as the aerodrome operator of Canberra aerodrome, certificate number CASA.ADCERT.0015.

Canberra Airport Safety Management System means the *Canberra Airport Safety Management System*, Version 4, dated October 2015.

event has the same meaning as in Annex C of the Canberra Airport Safety Management System.

Manual of Standards has the same meaning as in regulation 139.010 of CASR.

parking bay 5 means parking bay 5 at Canberra aerodrome.

primary aircraft parking position markings has the same meaning as in paragraph 8.5.15.1 of the Manual of Standards.

relevant aircraft means an aircraft in one of the following series of aircraft:

- (a) A340;
- (b) A350;
- (c) B777;
- (d) B787.

Safety Case Report means the *Safety Case Report Bays 4 & 5 Code E Aircraft Parking Positions*, reference number 3002611, dated 5 October 2017.

4 Exemption

- (1) Canberra Airport is exempt from compliance with regulation 139.165 of CASR, to the extent that the regulation requires Canberra Airport to ensure that an apron vehicle ramp and associated safety barrier in parking bay 5 comply with the requirements mentioned in paragraphs 6.5.3.1 and 6.5.3.2 of the Manual of Standards.
- (2) The exemption is subject to the conditions in section 5.

5 Conditions

- (1) Canberra Airport must not, without the prior written approval of CASA, make any changes to the primary aircraft parking position markings, in parking bay 5.
- (2) Canberra Airport must, before an operator of a relevant aircraft commences an operation to or from Canberra aerodrome:
 - (a) notify the operator of the relevant aircraft, in writing, that the relevant aircraft may be required to use parking bay 5 for the operation; and
 - (b) provide the operator of the relevant aircraft with diagrams showing the layout of parking bay 5, including the structure of the apron vehicle ramp and associated safety barrier; and
 - (c) obtain from the operator of the relevant aircraft written acknowledgement of, and agreement to, the use of parking bay 5 for the operation.
- (3) Canberra Airport must:
 - (a) assess any event that is related to the safe use of parking bay 5 by a relevant aircraft in accordance with the Canberra Airport Safety Management System; and
 - (b) within 30 days of the event, provide a written assessment report to CASA.
- (4) Canberra Airport must, within 30 days after making any revision of the Canberra Airport Safety Management System, tell CASA in writing about the revision.

Note A change to the Canberra Airport Safety Management System will result in a reissue of this instrument of exemption.

- (5) Canberra Airport must:
 - (a) comply with the Safety Case Report including, for parking bay 5, the implementation of the markings changes in figure 3 of the Safety Case Report; and
 - (b) notify CASA within 7 days of identifying either of the following:
 - (i) any risk, other than those mentioned in the Safety Case Report, that may affect the ability of a relevant aircraft to safely use parking bay 5;

- (ii) any change to a level of risk mentioned in the Safety Case Report that is related to the use of parking bay 5 by a relevant aircraft.
- (6) Canberra Airport must not, without the prior written approval of CASA, revise any part of the Safety Case Report.

Note A change to the Safety Case Report will result in a reissue of this instrument of exemption.

6 Repeal of this instrument

This instrument is repealed at the end of 31 March 2021.



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX102/20

I, ANDREW MELVIN SPARROW, Branch Manager, Air Navigation, Airspace & Aerodromes, National Operations & Standards Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed A. Sparrow]

Andrew Sparrow
Branch Manager, Air Navigation, Airspace & Aerodromes
National Operations & Standards Division

3 July 2020

**CASA EX102/20 — Taxiway Centreline Lights Spacing (Sydney Airport)
Exemption 2020**

1 Name

This instrument is *CASA EX102/20 — Taxiway Centreline Lights Spacing (Sydney Airport) Exemption 2020*.

2 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *aerodrome manual*, *AIP* and *AIP-ERSA*.

In this instrument:

AIP-DAP means the Departure and Approach Procedures of the AIP.

Manual of Standards means *Manual of Standards (MOS) — Part 139 Aerodromes*.

runway 16R/34L means runway 16R/34L at Sydney Airport.

Sydney Airport means Sydney (Kingsford Smith) INTL aerodrome, certificate number CASA.ADCERT.0146.

Sydney Airport Corporation means Sydney Airport Corporation Limited, ARN 557249.

3 Application

This instrument applies to Sydney Airport Corporation as the operator of Sydney Airport.

4 Exemption

- (1) Sydney Airport Corporation is exempt from compliance with paragraph 139.195 (3) (a) of CASR to the extent that the paragraph requires

Instrument number CASA EX102/20

Page 1 of 2 pages

taxiway centreline lighting spacing on taxiways intended for use in RVR conditions of less than 350 metres not to exceed the specified standards:

- (a) set out in Table 9.13-1, in paragraph 9.13.8.1 of the Manual of Standards — for straight sections of taxiway; and
 - (b) set out in Table 9.13-2, in paragraph 9.13.8.5 of the Manual of Standards — for curved sections of taxiway.
- (2) The exemption in subsection (1) applies to taxiways intended for use with runway 16R/34L in RVR conditions of less than 350 metres, but not less than 300 metres (*reduced RVR conditions*).
 - (3) The exemption in subsection (1) is subject to the conditions in section 5.

5 Conditions

- (1) Sydney Airport Corporation must ensure that the spacing between the taxiway centreline lights on taxiways to which section 4 applies does not exceed the standards specified in the Manual of Standards for taxiways intended for use in RVR conditions of less than 550 metres but not less than 350 metres.
- (2) Sydney Airport Corporation must ensure that the details of the spacing of the centreline lighting on taxiways to which section 4 applies are:
 - (a) set out in the Sydney Airport aerodrome manual; and
 - (b) included in AIP-ERSA, with a low-visibility chart showing the taxiways referred to in subsection 4 (2); and
 - (c) included in AIP-DAP.
- (3) Sydney Airport Corporation must ensure that any alteration of the taxiway centreline light spacing complies with paragraphs 9.13.8.1 and 9.13.8.5 of the Manual of Standards.
- (4) Sydney Airport Corporation must review the safety of operations under this exemption at least once every year and report to CASA any changes to operations under the exemption.
- (5) Sydney Airport Corporation must publish, in accordance with subsection (2), a requirement that an aircraft operator must, before using taxiways under this exemption, have conducted its own assessment of their use in reduced RVR conditions, and decided that it was safe to do so.

6 Repeal

This instrument is repealed at the end of 31 May 2023.



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX25/19

I, CHRISTOPHER PAUL MONAHAN, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Christopher P. Monahan]

Christopher P. Monahan
Executive Manager, National Operations & Standards

26 February 2019

CASA EX25/19 — High Intensity Approach Lighting System (Gold Coast Airport Pty Limited) Exemption 2019

1 Name

This instrument is *CASA EX25/19 — High Intensity Approach Lighting System (Gold Coast Airport Pty Limited) Exemption 2019*.

2 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the Act and the Regulations. These include: *aerodrome manual*.

In this instrument:

Gold Coast aerodrome means Gold Coast aerodrome, certificate number CASA.ADCERT.0024.

Gold Coast Airport means Gold Coast Airport Pty Limited, ARN 556625, in its capacity as the operator of Gold Coast aerodrome.

runway 14 means runway 14 at Gold Coast aerodrome.

risk assessment means the document entitled *GCA Risk Assessment 483*:

Absence of HIAL on RWY 14 ILS, submitted by Gold Coast Airport as Attachment B to the safety case.

safety case means the undated document entitled *RE: Request for Exemption Against Standard: Gold Coast Airport RWY 14 ILS HIAL*, submitted by Gold Coast Airport as its application for the exemption granted in section 3, signed by Matthew Bender and received by CASA on 16 January 2019.

3 Exemption

- (1) In relation to the provision of a precision approach Category I lighting system for runway 14, Gold Coast Airport is exempt from compliance with the following provisions of CASR:

- (a) paragraph 139.195 (2) (d), to the extent that the paragraph requires runway 14 to have an approach lighting system;

- (b) paragraph 139.195 (3) (a), to the extent that the paragraph requires an approach lighting system for runway 14 to comply with the standards in the Manual of Standards (MOS) – Part 139 Aerodromes;
 - (c) subregulation 139.195 (1), to the extent that the subregulation requires Gold Coast Airport to comply with the requirements mentioned in paragraphs (a) and (b) in relation to runway 14.
- (2) The exemptions are subject to the conditions mentioned in section 4.

4 Conditions

- (1) Gold Coast Airport must:
- (a) complete a review of the risk assessment and safety case at least once in each calendar year to assess any new risks, and changes to previously identified risks, associated with the use of runway 14 without a high intensity approach lighting system, including as a result of changes to runway 14 operations; and
 - (b) assess any risks identified at a Gold Coast Airport safety management system safety committee meeting (*committee meeting*); and
 - (c) provide a report to CASA on:
 - (i) each review completed for paragraph (a), within 30 days of completing the review; and
 - (ii) each risk assessment conducted for paragraph (b), within 30 days of the committee meeting at which the risk was identified.
- (2) Gold Coast Airport must include in the aerodrome manual for Gold Coast aerodrome:
- (a) a copy of this instrument; and
 - (b) an entry in Section 1 of Part 5 of the manual that:
 - (i) identifies this instrument; and
 - (ii) provides a summary of this instrument; and
 - (iii) states the reasons for the granting of the exemption in section 3; and
 - (iv) identifies where the safety case and risk assessment can be found in Gold Coast Airport's records.

5 Repeal

This instrument is repealed at the end of 31 January 2022.

SAMPLE LETTER TO AIS**Appendix V****EXAMPLE:**

AIP
(State Name)

GEN 1.7-1
27 Feb 2020

GEN 1.7 DIFFERENCES FROM ICAO STANDARDS, RECOMMENDED PRACTICES AND PROCEDURES

A list of significant non-compliances/differences between national regulations and practices of the State and related ICAO Standards, Recommended Practices and Procedures should be published, including:

- 1) Provision affected (Annex/PANS and edition number, paragraph); and
- 2) Non-compliances/difference in full text.

Guidance Note:

Each non-compliances/difference should be notified in the following form:

- a) Reference: Cite the paragraph or subparagraph of the Annex or PANS in respect of which the non-compliance/difference exists.*
- b) Description of the non-compliance/difference: Describe the non-compliance/difference precisely and include any additional information necessary to make its effect clear.*
- c) Remarks: Indicate the reason for the non-compliance/difference or, if the non-compliance/difference is likely to be eliminated in the future, indicate the date by which conformity with the ICAO provision may be expected.*

The following non-compliance (s) has been introduced: (Example only)

1. ANNEX 14, Vol I – Aerodrome Design and Operations: 8th edition, 2018

Description of non-compliance	Reason for non-compliance	AIP section	Notes/remarks

Note:

- 1. The primary purpose of notifying non-compliances/differences is to promote safety, efficiency and regularity in air navigation by ensuring that all stakeholders concerned with international civil aviation are aware of all national rules and practices insofar as they differ from those prescribed in SARPs. Therefore, lack of information on non-compliances/differences creates uncertainty and poses a potential hazard to the safety, regularity and efficiency of air navigation.*
- 2. Dissemination of non-compliances/differences enhances transparency of safety information, and, consequently, facilitates States' decisions specifically within the context of the management of safety. Incorrect notification of non-compliances/differences may also potentially lead to misunderstandings and could result in undesirable operational situations, or in other potential negative consequences in terms of recognition of certificates and licences, ramp inspections, and ultimately traffic rights.*
- 3. The notification of non-compliances/differences is, therefore, an important and useful action that contributes to ensuring the safe and orderly growth of international civil aviation.*