



Advisory Circular

Subject: National Exemption to CAR 302.07 (1)(a)(ii)

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1.0 INTRODUCTION

- (1) This Advisory Circular (AC) is provided for information and guidance purposes. It describes an example of an acceptable means, but not the only means, of demonstrating compliance with regulations and standards. This AC on its own does not change, create, amend or permit deviations from regulatory requirements, nor does it establish minimum standards.

1.1 Purpose

- (1) The purpose of this document is to provide information regarding the process and requirements for an airport operator to exercise the privileges of the National Exemption to CAR 302.07 (1)(a)(ii).

1.2 Applicability

- (1) This document applies to all Canadian airport operators, manufacturers, suppliers, Transport Canada Civil Aviation (TCCA) Headquarters and regional personnel, and the aviation industry involved with the planning, design, and maintenance activities at Canadian aerodromes.

1.3 Description of Changes

- (1) Not applicable.

2.0 REFERENCES AND REQUIREMENTS

2.1 Reference Documents

- (1) It is intended that the following reference materials be used in conjunction with this document:
- (a) *Aeronautics Act* (R.S., 1985, c. A-2);
 - (b) Part III, Subpart 2 of the Canadian Aviation Regulations (CARs) — *Airports*;
 - (c) Advisory Circular (AC) 302-021 Issue 01,— *Introduction of TP312 5th edition*;
 - (d) Transport Canada Publication, TP 312 — *Aerodrome Standards and Recommended Practices*;

2.2 Cancelled Documents

- (1) Not applicable.
- (2) By default, it is understood that the publication of a new issue of a document automatically renders any earlier issues of the same document null and void.

2.3 Definitions and Abbreviations

- (1) The following **definitions** are used in this document:
- (a) Not applicable
- (2) The following **abbreviations** are used in this document:
- (a) Not applicable

3.0 BACKGROUND

- (1) Improvements to the airfield components typically involve long lead times and, are complex in nature due to the regulatory requirements, sometimes from other authorities and the resulting impact on its operation during execution of the works. These lead times , typically extend 12 – 24 months and sometimes longer, due to multiple steps in the process, such as tendering or various agency approvals, prior to the execution of the works. Also, the execution stage of some projects may extend over multiples seasons due to the nature of the works and environmental conditions.
- (2) CAR 302.07 (1)(a)(ii) requires the operator of an airport to comply “...with the standards set out in the aerodrome standards and recommended practices publications, as they read on the date on which the part or facility was returned to service,...”
- (3) The introduction of TP312 5th edition presents an additional consideration for airport operators that are currently in the advanced planning, or execution phases of capital works. Considering the lead time related to project planning and execution, the airport operator needs to have knowledge of which set of “standards” the airport will be subject to upon its return to service early in the planning process.
- (4) In considering the above, TCCA has issued a **National regulatory exemption** to 302.07(1)(a)(ii) so that the airport may use the standards contained in TP312 4th edition, subject to certain conditions.

4.0 PROCESS AND REQUIREMENTS FOR REGIONAL REVIEW AND SIGNOFF TO EXERCISE THE PRIVILIGES OF THIS NATIONAL EXEMPTION

- (1) The airport operator shall submit to the Transport Canada Civil Aviation regional office personnel a plan of airport construction and operations no later than 12 months (calendar days) after the coming into force of TP312 (5th edition). Elements to be included in the submission are, but not limited to;
 - (a) Identification of the airport work areas subject to the exemption;
 - (b) Identification of specific airport infrastructure elements being requested for conformance to TP312 4th edition standards. The specific TP312 5th edition standard being exempted and the TP312 4th edition standard identified for conformance must be clearly identified;
 - (c) Construction schedule (See3 below); and
 - (d) Plan of airport operations detailing how the ongoing airport operations will be maintained in compliance with the requirements of the Canadian Aviation Regulations while the works are in progress.
- (2) Where the TCCA regional office is supportive of the submission, a completed copy of the attachment to the National Exemption including its’ signed attachment contained in Appendix A will be returned to the submitter. The attachment detailing the infrastructure elements of the airport being exempted from TP312 (5th edition) for conformance to TP312 (4th edition) standards must be signed by the regional aerodromes TCCA Technical Team Leader for valid use of the exemption.
- (3) Works must be completed in full and the airport areas subject to the exemption be fully operational within 24 months (calendar days) after the coming into force of TP312 (5th edition) standards;
- (4) The Airport Operations Manual must clearly state which infrastructure elements of the airport are being exempted from TP312 (5th edition) for conformance to TP312 (4th edition) standards;
- (5) A copy of the Exemption, including its’ signed attachment must be included in the Airport Operations Manual;

5.0 INFORMATION MANAGEMENT

(1) Not applicable

6.0 DOCUMENT HISTORY

(1) Not applicable

7.0 CONTACT OFFICE

For more information, please contact:

<http://www.tc.gc.ca/eng/regions.htm>

Suggestions for amendment to this document are invited, and should be submitted via:

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Original signed by

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