

AERONAUTICAL INFORMATION CIRCULAR 27/06

EXEMPTION FROM SUBSECTION 602.34(2) OF THE CANADIAN AVIATION REGULATIONS

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and taking into account that the exemption is both in the public interest and not likely to affect aviation safety, I hereby exempt **persons conducting IFR flight, in Reduced Vertical Separation Minimum (RVSM) airspace while operating an RVSM certified aircraft**, from the requirement to operate at a cruising flight level appropriate to the track, as set out in the Table referenced in subsection 602.34(2) of the *Canadian Aviation Regulations* (CARs), subject to the following conditions.

Subsection 602.34(2) states: “*Subject to subsection (3), the pilot-in-command of an aircraft shall ensure that the aircraft is operated at a cruising altitude or cruising flight level appropriate to the track, as set out in the table to this section, unless the pilot-in-command is assigned another altitude or flight level by an air traffic control unit and the aircraft is operated in level cruising flight*

- a) *at more than 3,000 feet AGL, in VFR flight; or*
- b) *in IFR flight.”*

Note: Subsection 602.34(2) *Table* currently requires 2000 feet vertical separation between FL290 to FL410 inclusive.

Purpose

This exemption will permit **persons conducting IFR flight, in Reduced Vertical Separation Minimum (RVSM) airspace while operating an RVSM certified aircraft**, to operate at altitudes appropriate to track between FL290 to FL410 inclusive, in accordance with the 1000 feet RVSM vertical separation. RVSM procedures will permit certified RVSM aircraft to be operated with 1000 feet vertical separation in lieu of the current 2000 feet separation. The implementation of RVSM in a designated portion of Northern Canadian Airspace occurred on April 18, 2002, and in Southern Domestic Airspace on January 20, 2005.

Application

The exemption applies **only** to persons conducting IFR flight, within Reduced Vertical Separation Minimum (RVSM) airspace while operating a RVSM certified aircraft.

Conditions

This exemption is subject to the following conditions:

1. A person operating a RVSM certified aircraft in RVSM airspace shall conduct IFR flight, in accordance with subsection 602.34(2) of the CARs, with reference to the following *Table*; and
2. Persons conducting IFR flight, in Reduced Vertical Separation Minimum (RVSM) airspace shall operate RVSM certified aircraft.

**Table
Cruising Altitudes and Cruising Flight Levels Appropriate to Aircraft Track**

TRACK 000° - 179°			TRACK 180° - 359°	
Column I	Column II		Column III	Column IV
IFR	VFR		IFR	VFR
1,000	-	Cruising Altitudes or Cruising Flight Levels – 18,000 feet and below	2,000	-
3,000	3,500		4,000	4,500
5,000	5,500		6,000	6,500
7,000	7,500		8,000	8,500
9,000	9,500		10,000	10,500
11,000	11,500		12,000	12,500
13,000	13,500		14,000	14,500
15,000	15,500		16,000	16,500
17,000	17,500			
IFR & CVFR				IFR & CVFR
190		Cruising Flight Levels 180 to 590 RVSM 1,000 feet separation FL290-FL410	180	
210			200	
230			220	
250			240	
270			260	
290			280	
310			300	
330			320	
350			340	
370			360	
390			380	
410			400	
450			430	
490			470	
530			510	
570			550	

Validity

This exemption is in effect until the earliest of the following:

- The date on which an amendment to subsection 602.34(2) *Table* of the CARs comes into effect;
- The date on which any condition set out in this exemption is breached; or
- The date on which this exemption is cancelled, in writing, by the Minister, where he is of the opinion that it is no longer in the public interest, or that it is likely to affect aviation safety.

Cancellation

The exemption from subsection 602.34(2) of the *Canadian Aviation Regulations* issued on **April 28, 2005**, in Ottawa, Ontario, Canada, by the Director General Civil Aviation, on behalf of the Minister of Transport, to **persons conducting IFR flight, in Reduced Vertical Separation Minimum (RVSM) airspace and operating an RVSM certified aircraft**, is hereby cancelled because it is the opinion of the Minister that it is no longer in the public interest or is likely to affect aviation safety.

Dated at Ottawa, Ontario, Canada, this 28th day of July, 2006, on behalf of the **Minister of Transport, Infrastructure and Communities.**

A handwritten signature in black ink, appearing to read 'Merlin Preuss', written in a cursive style.

Merlin Preuss
Director General
Civil Aviation