



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 07/19

I, PETER MICHAEL WHITE, Executive Manager, Regulatory Services & Surveillance, a delegate of CASA, make this instrument under section 23 of the *Civil Aviation Act 1988*.

[Signed P. White]

Peter White

Executive Manager, Regulatory Services & Surveillance

30 January 2019

CASA 07/19 — Dangerous Goods (Mobility Aid Spare Non-spillable Wet Battery) Instrument 2019

1 Name

This instrument is *CASA 07/19 — Dangerous Goods (Mobility Aid Spare Non-spillable Wet Battery) Instrument 2019*.

2 Duration

This instrument:

- (a) commences on 1 February 2019; and
- (b) is repealed at the end of 31 December 2020.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988*. These include: *AOC* and *Australian territory*.

In this instrument:

Act means the *Civil Aviation Act 1988*.

battery means a non-spillable wet battery that complies with Special Provision A67 of the Technical Instructions.

Note The type of battery mentioned in this definition is specified in the Dangerous Goods List contained in the Technical Instructions.

CASR means the *Civil Aviation Safety Regulations 1998*.

checked baggage has the same meaning as in Part 1 of the CASR Dictionary.

relevant Australian aircraft means an Australian aircraft registered under the Act, which is operated by the holder of an AOC.

relevant passenger, for a flight of a relevant Australian aircraft within Australian territory, means a passenger for the flight who, because of a disability, the passenger's health or age, or a temporary mobility problem, relies on a mobility aid for mobility.

Example A wheelchair is a type of mobility aid.

spare battery, for a mobility aid, means a battery that can be used to replace a battery fitted to, and powering, the mobility aid.

Technical Instructions has the same meaning as in subregulation 92.010 (1) of CASR.

4 Application

This instrument applies if:

- (a) a relevant passenger, for a flight of a relevant Australian aircraft within Australian territory, wishes to carry a spare battery, for the passenger's mobility aid, on board the aircraft as checked baggage for the flight; and
- (b) the total number of spare batteries, for the mobility aid, the passenger wishes to carry on board the aircraft as checked baggage for the flight is not more than the number of batteries fitted to, and powering, the mobility aid.

5 Permissions

- (1) For paragraphs 23 (2) (b) and (2A) (b) of the Act, the relevant passenger is permitted to carry the spare battery on board the aircraft as checked baggage for the flight.
- (2) For paragraphs 23 (1) (b), (2) (b) and (2A) (b) of the Act, the aircraft and aircraft's operator are permitted to carry the spare battery in the aircraft's hold during the flight.
- (3) The permissions are subject to the conditions stated in Schedule 1.

Note Under subregulation 92.025 (2) of CASR, it is a condition of the carriage of dangerous goods on an aircraft that the operator of the aircraft complies with the requirements of the Technical Instructions stated in that subregulation.

Also, under subregulation 92.030 (2) of CASR, subject to subregulation 92.030 (3) of CASR, it is a condition of the carriage of dangerous goods on an aircraft by a passenger that the passenger complies with the requirements of the Technical Instructions stated in subregulation (2).

Schedule 1 Conditions

- 1 The operator must conduct a risk assessment in relation to the proposed carriage of the battery in the aircraft's hold during the flight, and provide a copy of the risk assessment document to CASA on request.
- 2 The operator must have given its written approval for the battery to be carried on board the aircraft as checked baggage for the flight.
- 3 The relevant passenger must declare the battery to the operator's check-in staff at the airport before the flight.
- 4 The battery must, immediately before being brought onto the aircraft, be inspected by the operator's personnel, and found to be free from visible leaks or damage.
- 5 The battery must be secured in the aircraft's hold, during the flight, in a way that prevents any movement in-flight that would change the battery's orientation or cause damage to the battery.