



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX85/24

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed S. Campbell]**

Steven Campbell

Executive Manager, National Operations & Standards

28 November 2024

### **CASA EX85/24 – Amendment of CASA EX89/23 (SMA-2160 Series Life Jackets) – Exemption Instrument 2024**

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#### **1 Name**

This instrument is *CASA EX85/24 – Amendment of CASA EX89/23 (SMA-2160 Series Life Jackets) – Exemption Instrument 2024*.

#### **2 Commencement**

This instrument commences on the day after it is registered.

#### **3 Amendment of CASA EX89/23**

Schedule 1 amends *CASA EX89/23 — Crew Life Jackets (SMA-2160 Series) Exemption Instrument 2023*.

### **Schedule 1 Amendments**

#### **[1] Paragraph 2(b)**

*repeal and substitute*

(b) is repealed at the end of 30 November 2025.

#### **[2] Section 4**

*omit*

This instrument applies,

*insert*

Subject to section 4A, this instrument applies,

**[3] After section 4**

*insert*

**4A Procurement of compliant life jackets**

- (1) This instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of 3 February 2025 if the operator fails to comply with the applicable requirements of subsection (2).
- (2) By not later than the end of 3 February 2025 — the operator must provide CASA with a statement that details the following:
  - (a) the operator's efforts to obtain a compliant life jacket (including with applicable dates) for:
    - (i) each applicable person mentioned in paragraph 26.56(2)(b) of the Part 91 MOS who is a crew member; and
    - (ii) each applicable person mentioned in paragraph 11.49(2)(b) of the Part 133 MOS who is a crew member;
  - (b) the results of those efforts, including an expected date for the procurement of, and commencement of use of, the compliant life jackets (the ***nominated expected date***).

*Note 1* The statement should be provided to CASA by email to [fsb.corro@casa.gov.au](mailto:fsb.corro@casa.gov.au).

*Note 2* A failure to expeditiously send a compliant statement to CASA may delay the time at which an operator may receive a CASA permission under subsection (5) below and may, therefore, affect an operator's ability to continue to use the exemption instrument.

- (3) For this instrument, a statement under subsection (2) is deemed to be an application for a CASA permission to continue to use this exemption instrument until the nominated expected date for the procurement of the compliant life jackets.

*Note* CASA may grant a permission for the purposes of this subsection. This would be a reviewable decision for the Administrative Review Tribunal.

- (4) Subject to subsection (1), this instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of 3 March 2025 if the operator fails to satisfy the applicable requirement under subsection (5).
- (5) By not later than the end of 3 March 2025, the operator must hold a CASA permission, for the purposes of this section, that authorises the operator to continue to use this exemption instrument until the end of a date specified in the permission.

*Note* The date specified in the permission may or may not be the same date as the operator nominated expected date, and must be a date that is not later than 30 November 2025 (the date of expiry of this instrument).

- (6) This instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of the date specified in the permission mentioned in subsection (5).