



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX91/24

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 G.J. Campbell]**

Steven Campbell  
Executive Manager, National Operations & Standards

20 December 2024

### **CASA EX91/24 – Use of Certain External Load Equipment in SAR and Medical Transport Operations – Exemption Instrument 2024**

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#### **1 Name**

This instrument is *CASA EX91/24 – Use of Certain External Load Equipment in SAR and Medical Transport Operations – Exemption Instrument 2024*.

#### **2 Duration**

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 30 June 2026.

#### **3 Definitions**

- (1) In this instrument:

***aircraft approved design*** means:

- (a) the type design for an aircraft; and
- (b) any changes to the type design made in accordance with a Part 21 of CASR approval.

***attachment items*** means items that are used to attach relevant equipment to a relevant helicopter's winch, hoist system or hook (as applicable), including ropes, carabineers, shackles, and similar items.

***CASR*** means the *Civil Aviation Safety Regulations 1998*.

***medical transport operation*** has the meaning given by the CASR Dictionary.

***Part 21 of CASR*** means Part 21 of the *Civil Aviation Safety Regulations 1998*.

***Part 133 MOS*** means the *Part 133 (Australian Air Transport Operations — Rotorcraft) Manual of Standards 2020*.

***Part 138 MOS*** means the *Part 138 (Aerial Work Operations) Manual of Standards 2020*.

**relevant equipment** means any article, appliance, part, or material, however described, that:

- (a) is not part of the aircraft approved design; and
- (b) is used as part of a SAR operation or a medical transport operation for the purposes of:
  - (i) carrying a person external to a rotorcraft; or
  - (ii) restraining a person inside a rotorcraft at an open door while they operate a winch or carry out similar duties; and
- (c) is not approved under Part 21 of CASR.

**relevant helicopter** means a rotorcraft used by a relevant operator in a relevant operation.

**relevant operation** means one of the following operations in which the pilot in command of a helicopter carries and uses, or reasonably expects to use, relevant equipment for:

- (a) a SAR operation;
- (b) a medical transport operation.

**relevant operator** means the operator of a relevant helicopter in a relevant operation.

**relevant permission** means a written permission, with or without conditions, issued on behalf of CASA by the person occupying, or for the time being holding the position of National Manager, Airworthiness & Engineering, CASA (the *National Manager*).

**SAR operation** is short for search and rescue operation and has the meaning given by section 1.07 of the Part 138 MOS.

**working load limit**, for relevant equipment, means the maximum load, as applicable, that the manufacturer recommends must not be exceeded.

- (2) In this instrument, unless the contrary intention appears, other words and phrases have the same meaning as in the Part 133 MOS or the Part 138 MOS, as applicable to the relevant operation.
- (3) All documents mentioned in, or applied, adopted or incorporated in, this instrument are such documents as are in force from time to time, as applicable.

#### **4 Application**

This instrument applies, according to its terms, to the use by a relevant operator, or the relevant operator's pilot in command, of relevant equipment, by a relevant helicopter in a relevant operation.

#### **5 Exemption – CASR Part 133 – medical transport operations**

- (1) The relevant operator and the relevant pilot in command of a relevant operation are each exempted from compliance with the following provisions of CASR that would otherwise apply to each of them:
  - (a) regulation 133.295;
  - (b) subregulation 133.360(2);

BUT only to the extent of the requirement under section 5.06 of the Part 133 MOS that, for the use of relevant equipment in a medical transport operation, the equipment must meet the requirements of, or be approved under, Part 21 of CASR.

*Note* In subsection (1):

- (a) regulation 133.295 of CASR concerns compliance with requirements under the Part 133 MOS relating to external load operations involving winching a person; and
  - (b) subregulation 133.360(2) of CASR concerns compliance with requirements under the Part 133 MOS relating to equipment; and
  - (c) section 5.06 of the Part 133 MOS concerns compliance with, or approval under, Part 21 of CASR for external load equipment, fittings, lines, safety harnesses, restraint straps and rescue harnesses; and
  - (d) Part 21 of CASR relevantly concerns certification and airworthiness requirements for parts.
- (2) The exemption is subject to the conditions mentioned in section 7.

*Note* The specific exemptions mentioned in this section (in effect from certain Part 21 of CASR compliance requirements) do not exempt from any other provisions in CASR, including other requirements to wear a seatbelt, harness or restraint.

## **6 Exemption – CASR Part 138 – SAR operations**

- (1) The relevant operator and the pilot in command of a relevant operation are each exempted from compliance with the following provisions of CASR that would otherwise apply to each of them:
- (a) regulation 138.375;
  - (b) subregulations 138.410(4), (5) and (6);
  - (c) subregulations 138.465(3) and (4);

BUT only to the extent of the requirements under subsection 14.02(3), paragraph 14.03(3)(b) and subsection 15.04(2) of the Part 138 MOS that, for the use of relevant equipment in a SAR operation, the equipment must meet the requirements of, or be approved under, Part 21 of CASR.

*Note* In subsection (1):

- (a) regulation 138.375 concerns compliance with requirements under the Part 138 MOS relating to the wearing of seatbelts and other restraint devices in aerial work operations; and
  - (b) subregulations 138.410(4), (5) and (6) concern compliance with requirements under the Part 138 MOS relating to external load operations; and
  - (c) subregulations 138.465(3) and (4) concern compliance with requirements under the Part 138 MOS relating to equipment; and
  - (d) Part 21 of CASR relevantly concerns certification and airworthiness requirements for parts.
- (2) The exemption is subject to the conditions mentioned in section 7.

*Note* The specific exemptions mentioned in this section (in effect from certain Part 21 of CASR compliance requirements) do not exempt from any other provisions in CASR, including other requirements to wear a seatbelt, harness or restraint.

## **7 Conditions — Compliance**

The relevant operator must ensure that each requirement under this section is complied with.

## 8 Conditions — CASA pre-use approval

- (1) The relevant operator must ensure that relevant equipment is not used unless and until the operator's head of flying operations has applied for, and received, a relevant permission under this section.

*Note* Applications should be made to CASA by email to <airworthiness@casa.gov.au>.

- (2) An application must be signed and dated, and must:
  - (a) clearly, precisely and in detail, identify and describe the relevant equipment, including its source, its date first placed in service, its purpose, and its manufacturer's applicable working load limit which must not be exceeded; and
  - (b) identify the kinds of operations the relevant equipment will be used for, and explain why it is necessary and appropriate for the operation; and
  - (c) insofar as the relevant equipment is not properly approved under Part 21 of CASR — indicate if and when, as soon as practicable, but not later than 30 June 2026, it is reasonably expected:
    - (i) to be approved under Part 21 of CASR; or
    - (ii) replaced by Part 21 of CASR approved equipment; and

*Note 1* Relevant equipment must be approved under Part 21 of CASR, or replaced, by not later than the end of 30 June 2026, or earlier if a condition of the CASA permission so requires.

*Note 2* A condition of a permission may require a relevant operator to report to CASA the steps the operator has taken, and the timetable, for acquisition of a Part 21 of CASR approval or replacement equipment.

- (d) state whether, when, and by whom, the relevant equipment has been subjected to a safety assessment for the structural capability and personnel safety features that are essential for external occupant safety; and
  - (e) state whether, and based on what persuasive evidence, the relevant equipment has proven safety reliability through previous use in relevant Australian operations; and
  - (f) state whether the relevant equipment has been maintained in accordance with the manufacturer's instructions, including the dates of the most recent inspection and maintenance, and who carried out these requirements.
- (3) CASA may grant a permission, with or without conditions, for the purposes of this provision, and conditions may or may not relate to attachment items.

*Note* This would be a reviewable decision for the Administrative Review Tribunal.

## 9 Conditions — post-CASA approval use

- (1) Without affecting the scope of subsection 8(3), the relevant operator must ensure that each of the requirements mentioned in this section are complied with in relation to the use of relevant equipment.

### Compatibility

- (2) The relevant equipment must be compatible with all other equipment fitted to, carried on, or used by the relevant helicopter, including other external load equipment and equipment associated with that other external load equipment.
- (3) The helicopter flight manual requirements for carriage of a person as an external load must be met.

- (4) Any relevant equipment that uses, or is dependent on, the relevant helicopter hoist hook must be compatible with the hoist hook to which it will be attached and, in particular, must not be prone to causing hook reversal or dynamic rollout.
- (5) The attachment items for any relevant equipment that uses, or is dependent on, such attachment items must be compatible with all relevant attachment points and, in particular, must not be prone to causing dynamic roll out.

#### No modifications

- (6) After CASA grants a relevant permission, relevant equipment must not be modified in any way from the version of the equipment that was the subject of the permission.
- (7) After CASA grants a relevant permission, the configuration of relevant equipment must not be changed in any way from the version of the equipment that was the subject of the permission.

#### Authorised repairs

- (8) Relevant equipment must not be repaired by any person other than the manufacturer unless the person has the manufacturer's specific authorisation to carry out the repair.

#### Working load limit

- (9) In a relevant operation, the applicable manufacturer's working load limit of relevant equipment must not be exceeded.

#### Crew training

- (10) Each member of the crew for a relevant operation must be trained in, and be thoroughly familiar with, how to:
  - (a) inspect the relevant equipment before it is deployed; and
  - (b) deploy and use the equipment.

#### Operational inspections

- (11) Before a flight in which the relevant equipment will, or may, be used for the first time, any applicable Place-In-Service inspection must be carried out in accordance with the manufacturer's Owner's Manual for the equipment.
- (12) Before any flight in which the relevant equipment will, or may, be used, it must be inspected:
  - (a) to determine its serviceability; and
  - (b) to ensure that no dangerous projections or sharp edges are liable at any time to damage or interfere with the relevant equipment.
- (13) After any flight in which the relevant equipment was used, it must be inspected:
  - (a) to determine its continued serviceability; and
  - (b) to ensure that it had not been damaged in any way.

#### Inspections and maintenance

- (14) Without affecting any other inspection requirement, the relevant equipment must be inspected and maintained, at the intervals, and in accordance with the manufacturer's Instructions for Continuing Airworthiness (*ICA*) as contained in Owner's Manual.

- (15) Any safety alerts, or revised ICA, issued by the manufacturer must be noted and complied with.

#### Procedures and records

- (16) Procedures must be documented to ensure that records are kept of the following:
- (a) the date of manufacture of the relevant equipment;
  - (b) the date the relevant equipment was placed in service;
  - (c) each occasion on which the relevant equipment was used;  
*Note* The details under paragraphs (a), (b) and (c) may be used to determine the service life and retirement of the relevant equipment: see subsections 9(18) and (19).
  - (d) how the relevant equipment is stored, and when and how it is cleaned;
  - (e) when the relevant equipment was maintained, including details of the maintenance;
  - (f) when any safety alerts, or revised ICA, are issued by the manufacturer, and what action was taken in response to them.

#### Labelling

- (17) If not already contained in the manufacturer's labelling, manufacturer-sourced information referenced in paragraphs (a) to (g) below must be recorded or displayed as applicable and as appropriate:
- (a) manufacturer's name;
  - (b) part number;
  - (c) serial number;
  - (d) date of manufacture;
  - (e) service life-limit date;
  - (f) authorised payload;
  - (g) authorised number of persons.

#### Retirement

- (18) Relevant equipment that has a metal structure, or that is subject to loads, tensions, weather or wear must be retired and replaced in accordance with any conditions in the relevant permission.
- (19) Attachment items must be retired and replaced in accordance with any conditions in the relevant permission.

#### **10 Direction — the relevant operator**

The relevant operator must ensure that the operator's exposition or operations manual (as applicable) contains:

- (a) a copy of this instrument; and
- (b) a copy of the relevant permission; and
- (b) procedures to ensure compliance with the conditions in this instrument.

#### **11 Direction — the pilot in command**

The pilot in command of a relevant helicopter in a relevant operation must not commence the operation unless they are satisfied that the conditions under sections 8 and 9 have been complied with.