



# Australian Government

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## Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under the *Civil Aviation Safety Regulations 1998*.

**[Signed P. Spence]**

Pip Spence  
Director of Aviation Safety

1 December 2021

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### Part 133 Manual of Standards Amendment Instrument 2021 (No. 1)

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#### **1 Name**

This instrument is the *Part 133 Manual of Standards Amendment Instrument 2021 (No. 1)*.

#### **2 Commencement**

This instrument commences at the time it is registered.

#### **3 Amendment of Part 133 Manual of Standards**

Schedule 1 amends the *Part 133 Manual of Standards*.

### **Schedule 1 Amendments**

#### **[1] Section 1.05**

*substitute*

#### **1.05 Meaning of *medical transport operating site***

- (1) Subject to subsections (2) and (3), a ***medical transport operating site***, for a rotorcraft, is a site:
  - (a) at which a take-off or landing of the rotorcraft is, or is to be, conducted as part of a medical transport operation; or
  - (b) over which the rotorcraft is required to operate to conduct a medical transport operation.
- (2) A ***medical transport operating site***, for a rotorcraft, does not include a place that meets the requirements stated in subregulation 91.410(2) of CASR.
- (3) Despite subsection (2), a place mentioned in subparagraph 91.410(2)(a)(iv) of CASR is a ***medical transport operating site*** if the pilot in command of the rotorcraft determines the place is a medical transport operating site, after:
  - (a) following any procedures mentioned in the rotorcraft operator's exposition under regulation 133.170 of CASR that relate to managing the safety of operations to an unfamiliar aerodrome; and
  - (b) conducting a risk assessment of the medical transport operation for the place.

**[2] Subsection 3.01(1), Note 2**

*omit*

disinfection

*insert*

aircraft disinsection

**[3] Section 3.04, Table 3.04, Item 2**

*omit*

pyrotechnic

**[4] Paragraph 5.10(3)(c)**

*omit*

have received confirmation

*insert*

be satisfied

**[5] Subsections 5.12(5) and (6)**

*substitute*

- (5) Also, for subsection (2), the rotorcraft must be operated so that it does not create a hazard to a person, or property, on the ground or water under the rotorcraft's flight path in the event of an engine failure or other emergency.

**[6] Section 6.02, definition of *final reserve fuel*, Table, Items 2 and 3**

*substitute*

2	VFR flight	the range speed for the rotorcraft	20 minutes
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**[7] Section 6.02, definition of *MSL***

*omit*

**[8] Subsection 7.01(1)**

*omit*

For

*insert*

Subject to subsections (3) and (4), for

**[9] After subsection 7.01(2)**

*insert*

- (3) Subsection (4) applies to an operator of a rotorcraft that, immediately before the commencement of this instrument, held an AOC authorising the operator to engage in regular public transport operations or charter operations, within the meaning of those terms immediately before the commencement of this instrument.
- (4) Until 1 December 2022, for paragraph 133.235(4)(a) of CASR, the information prescribed is:
- (a) the information mentioned in paragraphs 14.1.3 and 14.1.4 of repealed *Civil Aviation Order 20.11*, as in force immediately before the commencement of this instrument; or
  - (b) the information mentioned in subsection (1).

**[10] Chapter 9, heading**

*substitute*

**Chapter 9 — Wearing of seatbelt, safety harness or restraint strap etc.**

**[11] Subsection 9.01(1)**

*omit*

A crew member, other than a flight crew member,

*insert*

Subject to subsection (2), a crew member

**[12] Subsection 9.01(2)**

*renumber* as subsection (3)

**[13] After subsection 9.01(1)**

*insert*

- (2) Subsection (1) does not apply to an air crew member who is assigned duties, during the flight, requiring the air crew member to occupy a crew station in the rotorcraft's cockpit.

**[14] Sections 9.02 to 9.04**

*substitute*

**9.02 Restraining of persons on a flight of a rotorcraft**

- (1) Each person on a flight of a rotorcraft must be restrained, in accordance with section 9.03, 9.04 or 9.05, when:
- (a) for a VFR flight by day — the rotorcraft flies below 1 000 ft AGL; or
  - (b) for a VFR flight at night — the rotorcraft is flown along a route, or route segment, at a height lower than the minimum height mentioned in subregulation 91.277(2) of CASR; or
  - (c) for an IFR flight — the rotorcraft is flown along a route, or route segment, at a height lower than the minimum height mentioned in subregulation 91.305(2) of CASR; or
  - (d) the pilot in command of the rotorcraft, acting in accordance with the rotorcraft operator's exposition, directs that the person be restrained.
- (2) The requirements stated in this section are directions to the person for the purposes of regulation 11.245 of CASR.
- (3) The directions cease to be in force at the end of 1 December 2024.

**9.03 Fastening of seatbelt or shoulder harness — passengers**

A passenger of a rotorcraft for a flight is taken to comply with section 9.02 if the passenger fastens the passenger's seatbelt or shoulder harness, and keeps it fastened, during the period the passenger must be restrained under the section.

#### **9.04 Wearing of safety harness and restraint strap, or restraining on stretcher etc. — medical transport operation**

- (1) Subject to subsection (2), a medical patient, a person who is one of the medical personnel, or a crew member on a flight of a rotorcraft that is a medical transport operation is taken to comply with section 9.02 if the medical patient, person, or crew member is restrained in accordance with this section.
- (2) A medical patient, a person who is one of the medical personnel, or a crew member on a flight of a rotorcraft that is a medical transport operation must, during the operation:
  - (a) for a crew member, other than a flight crew member or an air crew member who is assigned duties, during the operation, requiring the air crew member to occupy a crew station in the rotorcraft's cockpit — wear a safety harness and a restraint strap; or
  - (b) for a medical patient for whom paragraph (a) is not practicable — be restrained on a stretcher, in accordance with the procedures mentioned in the rotorcraft operator's exposition; or
  - (c) for a medical patient who is an infant, for whom paragraph (a) is considered by the medical or nursing authority responsible for conducting the transport to be detrimental to the infant's medical condition or the general situation inside the rotorcraft — be carried inside an incubator, humidicrib or other neonatal transport unit, or in the arms or on the lap of an adult occupying a seat, in accordance with the procedures mentioned in the rotorcraft operator's exposition; or
  - (d) for a medical patient who is a child under the age of 6, for whom paragraph (a) is considered by the medical or nursing authority responsible for conducting the transport to be detrimental to the child's medical condition or the general situation inside the rotorcraft — be carried in the arms, or on the lap, of an adult occupying a seat, in accordance with the procedures mentioned in the rotorcraft operator's exposition.
- (3) For paragraph (2)(b), before the medical transport operation commences, a crew member, for the flight, who fits the equipment to the medical patient must ensure the requirements stated in the rotorcraft operator's exposition about the fitting of the equipment to the medical patient are complied with.
- (4) For paragraph (2)(b), before the medical transport operation commences, the rotorcraft's operator must ensure the equipment:
  - (a) is fit for the particular purpose of the operation; and
  - (b) meets the requirements of, or is approved under, Part 21 of CASR; and
  - (c) is serviceable.
- (5) For subsection (3), before the medical transport operation commences, the rotorcraft's operator must ensure the crew member has been trained in the fitting of the equipment and assessed as competent to fit the equipment.
- (6) The requirements stated in subsections (2) to (5) are directions to the affected person for the purposes of regulation 11.245 of CASR.
- (7) The directions cease to be in force at the end of 1 December 2024.

## 9.05 Wearing of safety harness and restraint strap — certain crew members

- (1) A crew member for a flight of a rotorcraft, other than a flight crew member or an air crew member who is assigned duties, during the operation, requiring the air crew member to occupy a crew station in the rotorcraft's cockpit, is taken to comply with section 9.02 if the crew member wears a safety harness and a restraint strap (the *equipment*) during the period the crew member must be restrained under the section.
- (2) Before the operation commences, the crew member must ensure the requirements stated in the rotorcraft operator's exposition about the wearing of the equipment are complied with.
- (3) Without limiting subsection (2), before the operation commences, the crew member must ensure the equipment is:
  - (a) correctly fitted, worn, and adjusted, to prevent injury to the crew member; and
  - (b) correctly adjusted to prevent the crew member, while wearing the equipment, from completely exiting the rotorcraft; and
  - (c) secured, via the restraint strap, to a hard point of the rotorcraft in accordance with the relevant approved data; and
  - (d) available always to be worn by the crew member.
- (4) Before the operation commences, the pilot in command, of the rotorcraft, must confirm the requirements stated in subsection (3) have been complied with.
- (5) Before the operation commences, the rotorcraft's operator must ensure the equipment:
  - (a) is fit for the particular purpose of the operation; and
  - (b) meets the requirements of, or is approved under, Part 21 of CASR; and
  - (c) is serviceable.
- (6) Before the operation commences, the rotorcraft's operator must ensure the crew member has been trained in the use of the equipment and assessed as competent to use the equipment.
- (7) If the crew member intends, in-flight, to transfer from a seatbelt to the equipment, the crew member must be secured by the equipment before the crew member unfastens the seatbelt.
- (8) The pilot in command, of the rotorcraft, must not manoeuvre the rotorcraft, in-flight, in a way that subjects the crew member to additional flight loads, unless the crew member has been briefed on the manoeuvre by the pilot in command beforehand.
- (9) The crew member must:
  - (a) advise the pilot in command, of the rotorcraft, of the crew member's proposed movements in the cabin in-flight; and
  - (b) not adversely affect the rotorcraft's centre of gravity or controllability during any movements by the crew member in the cabin in-flight.
- (10) The requirements stated in subsections (2) to (9) are directions to the affected person for the purposes of regulation 11.245 of CASR.
- (11) The directions cease to be in force at the end of 1 December 2024.