



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX105/21

I, LAURA JANE CARLTON, Acting Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under paragraphs 150 (2) (a) and 157 (4) (b) of the *Civil Aviation Regulations 1988* and regulations 11.056, 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed Laura Carlton]**

Laura Carlton  
Acting Executive Manager, Regulatory Oversight

30 August 2021

### **CASA EX105/21 — Helicopter SAR Operations (Lloyd Helicopters) Instrument 2021**

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#### **1 Name**

This instrument is *CASA EX105/21 — Helicopter SAR Operations (Lloyd Helicopters) Instrument 2021*.

#### **2 Duration**

This instrument:

- (a) commences on 1 September 2021; and
- (b) is repealed at the end of 31 August 2024.

*Note* This instrument may cease to have effect at an earlier date due to the commencement of the *Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021*. The relevant provisions of those regulations were expected, at the time of signature of this instrument, to commence on 2 December 2021.

#### **3 Definitions**

*Note* In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **AOC**, **operations manual** and **pilot in command**.

**Lloyd Helicopters** means Lloyd Helicopters Pty. Ltd., ARN 222688.

**relevant aircraft** means an AW139 type helicopter operated by Lloyd Helicopters under an AOC.

**SAR operation** means an offshore search and rescue operation using a relevant aircraft, and includes training for such an operation.

#### **4 Application**

This instrument applies in relation to Lloyd Helicopters (and its pilots in command) when using a relevant aircraft in a SAR operation.

## **5 Exemption**

- (1) The pilot in command of a relevant aircraft being used in a SAR operation is exempt from compliance with the following provisions of CAR to the extent necessary for the operation:
  - (a) subregulation 175 (2);
  - (b) subregulation 178 (1);
  - (c) subregulation 178 (2).
- (2) The exemption is subject to the condition mentioned in section 8.

## **6 Direction**

For paragraph 150 (2) (a) of CAR:

- (a) a package, article or other substance may be dropped from a relevant aircraft being used for training for a SAR operation; and
- (b) the dropping of a package, article or other substance under paragraph (a) must be conducted so as to avoid harm or damage to persons or property on the ground.

*Note* Subparagraph 150 (2) (a) (v) of CAR permits the dropping of articles in the course of search and rescue operations but does not extend to training for such operations.

## **7 Permission**

- (1) For paragraph 157 (4) (b) of CAR, the pilot in command of a relevant aircraft being used for training for a SAR operation is permitted to operate the aircraft at a height lower than 500 feet to the extent necessary for the training.

*Note 1* Paragraph 157 (4) (f) of CAR permits low flying for search and rescue operations but does not extend to training for such operations.

*Note 2* Paragraph 3.1 of Civil Aviation Order 29.11 grants a permission under regulation 151 of CAR for the picking up of persons in a winching operation.

- (2) The permission is subject to the condition mentioned in section 8.

## **8 Condition**

For regulations 11.056 and 11.205 of CASR, the exemption and permission mentioned in sections 5 and 7 are subject to the condition that the pilot in command must ensure that Lloyd Helicopters has confirmed to the pilot that:

- (a) CASA has approved any change relating to SAR operations made to the Lloyd Helicopters operations manual from the day this instrument is signed; and
- (b) Lloyd Helicopters has complied with any lawful CASA direction relating to the conduct of the SAR operation.

## **9 Directions — Lloyd Helicopters**

- (1) For regulation 11.245 of CASR, Lloyd Helicopters must ensure that:
  - (a) its personnel comply with their obligations under subregulation 215 (9) of CAR in relation to SAR operations; and
  - (b) SAR operations are conducted in accordance with the Lloyd Helicopters operations manual suite, as the manual suite exists immediately before the day this instrument is signed.

*Note* Subregulation 215 (9) requires personnel of an operator to comply with instructions in the operator's operations manual. The Lloyd Helicopters operations manual suite relevantly includes the operations manual, Flying Staff Instructions and Training Flying Staff Instructions. The suite includes requirements relating to equipment for relevant aircraft, conduct of operations and

training of crew. Part B of the operations manual relates to SAR operations using relevant aircraft.

- (2) For regulation 11.245 of CASR, Lloyd Helicopters must not amend any part of its operations manual or training and checking manual that affects the conduct of SAR operations unless the amendment has been approved in writing by CASA.

*Note 1* In accordance with section 46AA of the *Acts Interpretation Act 1901*, this instrument applies the terms of the Lloyd Helicopters operations manual suite as it exists immediately before the day this instrument is signed. CASA will consider the reissue of this instrument if an amended version of the operations manual suite is intended to apply.

*Note 2* For the purposes of regulation 11.250 of CASR, the directions in this section cease to be in force at the end of 31 August 2024, subject to the commencement of the *Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021* (see the Note at the foot of section 2).

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