



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX57/23

I, ROBERT KENNETH WALKER, Acting Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed Rob Walker]

Robert Walker
Acting Director of Aviation Safety

31 May 2023

CASA EX57/23 – Crew Life Jackets (Victoria Police) – Exemption Instrument 2023

1 Name

This instrument is *CASA EX57/23 – Crew Life Jackets (Victoria Police) – Exemption Instrument 2023*.

2 Duration

This instrument:

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- (b) is repealed at the end of 30 April 2026.

3 Definitions

In this instrument:

ADA means Australian Defence Apparel Pty Ltd.

ADA MBV means a maritime ballistic vest, supplied by ADA, which consists of an ADA Carrier with VP-AEGIR 38GR inflation kit that is comprised of the approved parts referred to in Appendix 1.

air crew member has the same meaning as in the CASR Dictionary.

CAR means the *Civil Aviation Regulations 1988*.

CASR means the *Civil Aviation Safety Regulations 1988*.

compliant life jacket means a life jacket that is compliant with the requirements of, or approved under, Part 21 of CASR.

flight crew member has the same meaning as in the CASR Dictionary.

helicopter underwater escape procedures means the procedures for underwater escape from a Victoria Police helicopter, that Victoria Police must include in its operations manual for operations under Part 138.

manufacturer means ADA.

MOS means Manual of Standards.

relevant crew member means the following when required by Victoria Police to wear an ADA MBV during a relevant operation:

- (a) each flight crew member; and
- (b) each air crew member.

relevant operation means a Victoria Police helicopter flight:

- (a) for which a relevant crew member is issued with an ADA MBV; and
- (b) to which any of the following Parts of CASR apply:
 - (i) Part 91;
 - (ii) Part 138.

required maintenance, for an ADA MBV, means annual servicing and successful testing, in accordance with ADA's instructions.

Victoria Police means Victoria Police, on behalf of the State of Victoria represented by the Department of Justice and Community Safety, ARN 053072.

Victoria Police helicopter means one of the following helicopters used in a relevant operation:

- (a) Leonardo S.P.A. AW 139 helicopter, serial number 31878;
- (b) Leonardo S.P.A. AW 139 helicopter, serial number 31884;
- (c) Leonardo S.P.A. AW 139 helicopter, serial number 31885.

4 Application

This instrument applies, according to its terms, to:

- (a) Victoria Police; and
- (b) the pilot in command of a Victoria Police helicopter;

in relation to the use by crew members of an ADA MBV in a relevant operation, but only when Victoria Police has issued a direction (however described) that, for the operation, a ballistic vest must be worn by a flight crew member or an air crew member, or both such crew members.

5 Exemption — private operations and aerial work operations

- (1) The pilot in command is exempted from compliance with subregulations 91.810(2) and (3) of CASR, but only to the extent that the requirement under subsection 26.02(2) of the Part 91 MOS applies to a life jacket for each person mentioned in paragraph 26.56(2)(b) of the MOS who is a relevant crew member.

Note The requirement under subsection 26.02(2) of the Part 91 MOS is that equipment must be compliant with the requirements of, or approved under, Part 21 of CASR. A life jacket mentioned in paragraph 26.56(2)(b) of the MOS is one that is carried on a helicopter.

- (2) The exemption is subject to the condition mentioned in section 6.

6 Condition — the pilot in command

Before a relevant operation, the pilot in command must be satisfied that the directions given by Victoria Police under section 7 have been actioned or complied with.

Note The exemption under section 5 is from an obligation that is otherwise on the pilot in command to ensure that only compliant life jackets are used.

7 Directions — Victoria Police

- (1) Victoria Police must ensure that each relevant crew member in a relevant operation (other than such a member who is supplied with a compliant life jacket) is supplied with an ADA MBV.
- (2) Victoria Police must ensure that the requirements under sections 26.57 and 26.59 of the Part 91 MOS, for the stowage and wearing of life jackets, are complied with in relation to the ADA MBV.
- (3) Victoria Police must ensure that each ADA MBV for use during a relevant operation has the following:
 - (a) reflective markings;
 - (b) a whistle;
 - (c) a light;
 - (d) a manual inflation function.
- (4) Victoria Police must ensure that each ADA MBV for use during a relevant operation:
 - (a) has been initially assembled and successfully tested by ADA using the relevant approved components listed in Appendix 1; and
 - (b) if not fully assembled when delivered to Victoria Police — has been finally assembled by a person mentioned in subsection (5); and
 - (c) receives the required maintenance.

Note Required maintenance is defined in section 3.

- (5) Victoria Police must ensure that the required maintenance for each ADA MBV is performed by one of the following:
 - (a) a maintenance organisation approved by CASA under regulation 30 of CAR that is authorised to service and test flotation equipment;
 - (b) a Part 145 organisation that is authorised to service and test flotation equipment;
 - (c) the manufacturer of the ADA MBV.
- (6) Victoria Police must ensure that each relevant crew member in a relevant operation has demonstrated the following to Victoria Police at the intervals mentioned in paragraph (7)(b):
 - (a) competence in the correct stowage of an ADA MBV;
 - (b) competence in the correct use and fitment use of an ADA MBV, including in particular the operation of the harness buckle system; and
 - (c) knowledge of, and competence in the use of, Victoria Police's helicopter underwater escape procedures.

Note These requirements may be satisfied when they are part of Victoria Police's training and checking obligations under Part 138 of CASR.

- (7) Victoria Police must ensure that each relevant crew member mentioned in subsection (6) must:
 - (a) before first participating in a relevant operation:
 - (i) have completed training in the matters listed in paragraphs (6)(a), (b) and (c); and
 - (ii) successfully demonstrated competence in those matters; and

- (b) thereafter, successfully demonstrate their competence in the matters listed in paragraphs (6)(a), (b) and (c) as follows:
 - (i) in relation to helicopter underwater escape procedures — subject to subsection (8), at intervals of not more than 3 years after the previous demonstration;
 - (ii) for the matters other than helicopter underwater escape procedures — subject to subsection (8), at intervals of not more than 1 year after the previous demonstration.
- (8) Any demonstration of competence mentioned in this instrument, required to be completed at intervals of 1 or 3 years, that is successfully completed within 90 days before, or after, its due date is taken to meet the requirements stated in paragraph (7)(b) as if it had been completed on the due date.
- (9) Victoria Police must ensure that a relevant crew member does not wear an ADA MBV unless:
 - (a) the ADA MBV complies with the requirement of subsections (3), (4) and (5); and
 - (b) the relevant crew member meets the requirements of subsection (6).
- (10) Victoria Police must ensure that a copy of this instrument is included in its operations manual for operations under Part 138.
- (11) Victoria Police must keep a record of the required maintenance that was carried out on each ADA MBV.
- (12) Victoria Police must keep a record of each instance that a relevant crew member demonstrated knowledge of, and competence in, the matters mentioned in subsection (6).
- (13) Victoria Police must:
 - (a) keep the record mentioned in subsection (11) for at least 3 years after the record was created; and
 - (b) keep the record mentioned in subsection (12) for at least 5 years after the relevant crew member ceases to be a member of Victoria Police's personnel.
- (14) Victoria Police must provide CASA, within 14 days of any occurrence that requires the use of an ADA MBV while a crew member is in the water during an abnormal situation or an emergency situation, with a written report on the general nature of the occurrence, but including in particular details of the use and performance of the ADA MBV.

Note CASA collects this information for the purpose of the ongoing evaluation of the use and effectiveness of the ADA MBV in securing the flotation, correct orientation, and survival of the wearer in the water.

Appendix 1

Components for Use in an ADA MBV

P/N	Air Wing
65-1-2125	BV, Air Wing, ADA Carrier, Male, 44S
65-1-2125	BV, Air Wing, ADA Carrier, Male, 48S

P/N	Air Wing
65-1-2125	BV, Air Wing, ADA Carrier, Male, 52S
65-1-2125	BV, Air Wing, ADA Carrier, Male, 56S
65-1-2125	BV, Air Wing, ADA Carrier, Male, 60S
65-1-2125	BV, Air Wing, ADA Carrier, Male, 64S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 36S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 40S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 44S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 48S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 52S
65-2-2125	BV, Air Wing, ADA Carrier, Female, 56S
15-010501	BV, Air Wing, VP AEGIR-38GR Cumberbund (L&R), X Small
15-010501	BV, Air Wing, VP AEGIR-38GR Cumberbund (L&R), Small
15-010501	BV, Air Wing, VP AEGIR-38GR Cumberbund (L&R), Medium
15-010501	BV, Air Wing, VP AEGIR-38GR Cumberbund (L&R), Large
15-010501	BV, Air Wing, VP AEGIR-38GR Cumberbund (L&R), X Large
15-00576-9001-04B	BV, Air Wing, Buoyancy Compensator with Quick release, Front
15-00576-9001-04F	BV, Air Wing, Buoyancy Compensator with Quick release, Back