



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA 76/24

I, JOANNA CLAIRE SEABROOK, Acting National Manager Regulatory Services, Regulatory Oversight Division, a delegate of CASA, make this instrument under section 23 of the *Civil Aviation Act 1988*.

**[Signed J. Seabrook]**

Joanna Seabrook  
Acting National Manager Regulatory Services  
Regulatory Oversight Division

19 December 2024

### **CASA 76/24 — Dangerous Goods (Carriage of Spare Battery for Mobility Aid) Instrument 2024**

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#### **1 Name**

This instrument is *CASA 76/24 — Dangerous Goods (Carriage of Spare Battery for Mobility Aid) Instrument 2024*.

#### **2 Duration**

This instrument:

- (a) commences on 1 January 2025; and
- (b) is repealed at the end of 31 December 2026.

#### **3 Definitions**

*Note* In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988*. These include: **AOC** and **Australian territory**.

In this instrument:

**Act** means the *Civil Aviation Act 1988*.

**battery** means a non-spillable wet battery, dry battery or nickel-metal hydride battery, that complies with Special Provision A67, A123 or A199, respectively, of the Technical Instructions.

*Note* The types of battery mentioned in this definition are specified in the Dangerous Goods List contained in the Technical Instructions.

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

**checked baggage** has the meaning given by Part 1 of the CASR Dictionary.

**relevant Australian aircraft** means an Australian aircraft registered under Part 47 of CASR, which is operated by the holder of an AOC.

**relevant passenger**, for a flight of a relevant Australian aircraft within Australian territory, means a passenger for the flight who, because of a

disability, the passenger's health or age, or a temporary mobility problem, relies on a mobility aid for mobility.

*Example* A wheelchair is a type of mobility aid.

**spare battery**, for a mobility aid, means a battery that can be used to replace a battery fitted to, and powering, the mobility aid.

**Technical Instructions** has the meaning given by subregulation 92.010(1) of CASR.

## 4 Application

This instrument applies if:

- (a) a relevant passenger, for a flight of a relevant Australian aircraft within Australian territory, wishes to carry a spare battery, for the passenger's mobility aid, on board the aircraft as checked baggage for the flight; and
- (b) the total number of spare batteries, for the mobility aid, the passenger wishes to carry on board the aircraft as checked baggage for the flight is not more than the number of batteries fitted to, and powering, the mobility aid.

## 5 Permissions

- (1) For paragraphs 23(2)(b) and (2A)(b) of the Act, the relevant passenger is permitted to carry the spare battery on board the aircraft as checked baggage for the flight.
- (2) For paragraphs 23(1)(b), (2)(b) and (2A)(b) of the Act, the aircraft and aircraft's operator are permitted to carry the spare battery in the aircraft's hold during the flight.
- (3) The permissions are subject to the conditions stated in Schedule 1.

*Note 1* Under subregulation 92.025(2) of CASR, it is a condition of the carriage of dangerous goods on an aircraft that the operator of the aircraft complies with the requirements of the Technical Instructions stated in that subregulation.

*Note 2* Under subregulation 92.030(2) of CASR, subject to subregulation 92.030(3) of CASR, it is a condition of the carriage of dangerous goods on an aircraft by a passenger that the passenger complies with the requirements of the Technical Instructions stated in subregulation (2).

## Schedule 1 Conditions

- 1 The operator must conduct a risk assessment in relation to the proposed carriage of the battery in the aircraft's hold during the flight, and provide a copy of the risk assessment document to CASA on request.
- 2 The operator must have given its written approval for the battery to be carried on board the aircraft as checked baggage for the flight.
- 3 The relevant passenger must declare the battery to the operator's check-in staff at the airport before the flight.
- 4 The operator must ensure that the battery, immediately before being brought onto the aircraft, is inspected by the operator's personnel, and found to be free from visible leaks or damage.
- 5 The operator must ensure that the battery is secured in the aircraft's cabin, during the flight, in a way that prevents any movement in flight that would change the battery's orientation or cause damage to the battery.