
[Signed C. Martin]

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CASA EX123/19 — Carriage of a Child with a Serious Medical Condition (Regional Express) Instrument 2019

1 Name
This instrument is CASA EX123/19 — Carriage of a Child with a Serious Medical Condition (Regional Express) Instrument 2019.

2 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, including: passenger.

In this instrument:
CAO 20.16.3 means Civil Aviation Order 20.16.3, as in force from time to time.
Rex means Regional Express Pty Ltd, ARN 752788.

3 Application
This instrument applies in relation to the carriage of Lottie Freney (the child) on a flight of an aircraft operated by Rex if:
(a) Rex has sighted a medical certificate to the effect that the child has a serious medical condition that prevents her from sitting upright unaided, and that she is fit to travel; and
(b) Rex is satisfied, on reasonable grounds, that the child weighs less than 16 kg.

4 Direction
For subregulation 235 (7) of CAR, paragraph 3.1 of CAO 20.16.3 does not apply to the child, to the extent the child is required to occupy a seat on the aircraft during a flight.
5   Exemptions
   (1) Rex is exempt from compliance with subregulation 235 (7A) of CAR, to the extent the child is required to occupy a seat on the aircraft during a flight in accordance with paragraph 3.1 of CAO 20.16.3.
   (2) The pilot in command of the aircraft, during a flight, is exempt from compliance with subregulation 235 (8) of CAR, to the extent the child is required to occupy a seat on the aircraft during a flight in accordance with paragraph 3.1 of CAO 20.16.3.
   (3) The exemptions are subject to the conditions mentioned in section 6.

6   Conditions
Rex must ensure that:
   (a) all crew members who may reasonably be expected to have any contact with the child during the flight are informed about her carriage under this instrument and her medical condition; and
   (b) when seat belts are worn by passengers in the circumstances mentioned in subregulation 251 (1) of CAR, the child:
      (i) sits on an accompanying adult’s lap; and
      (ii) wears an approved infant seat belt as a restraint.

   Note 1  The accompanying adult must wear a seat belt in these circumstances — see subregulation 251 (1) of CAR.
   Note 2  For other requirements that apply to aircraft operators in relation to passengers who require assistance due to sickness, injury or disability — see subsection 14 of CAO 20.16.3.

7   Repeal
This instrument is repealed at the end of 24 March 2021.