



Australian Government

Civil Aviation Safety Authority

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulation 21.010D of the *Civil Aviation Safety Regulations 1998*.

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[Month] 2025

Part 21 Manual of Standards Amendment Instrument 2025

1 Name

This instrument is the *Part 21 Manual of Standards Amendment Instrument 2025*.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendment of the Part 21 Manual of Standards

Schedule 1 amends the *Part 21 Manual of Standards*.

Schedule 1 Amendments

[1] Section 1.10

insert

accredited conformity assessment body means a conformity assessment body that is accredited in accordance with ISO/IEC 17000.

aeronautical data, for the purposes of Part 2A, includes the following:

- (a) instructions for continued airworthiness;
- (b) the aircraft manufacturer's maintenance manuals, including airworthiness limitations sections;
- (c) the pilot operating handbook (however described);
- (d) the flight manual (however described);
- (e) any other document that describes the operating limitations of the aircraft.

certified, in relation to an appliance, means an accredited conformity assessment body has determined that the appliance manufacturer has demonstrated the ability to produce the appliance such that it complies with the requirements of a relevant technical standard.

Class D external load has the meaning given by the Part 138 MOS.

conformity assessment body means an organisation that determines whether an appliance complies with the requirements of a relevant technical standard.

Declaration of Conformity, in relation to an appliance, means a document issued by the appliance manufacturer that declares that the appliance complies with the applicable European Standards and EU directives.

European Standard means a technical specification that sets out consensus standards for appliances, including design, manufacturing, test and acceptance criteria, that is developed by an organisation, recognised by the European Union, that develops standards.

foreign non-civil aircraft means an aircraft that was manufactured in accordance with the requirements of, and accepted for use by, the government, or a government agency (however described) of a foreign country, including, for example, its Defence Forces, police, paramilitary police, law enforcement bodies, intelligence services, coastguard, border patrol services or customs service.

Note In some foreign countries these aircraft are called ex-military aircraft, surplus aircraft, or public aircraft.

human external cargo operation means any of the following operations, including training for such operations:

- (a) an external load operation conducted during a medical transport operation under Part 133 of CASR that involves winching a person;
- (b) a Class D external load operation under Part 138 of CASR.

ISO/IEC 17000 means the international standard titled *ISO/IEC 17000:2020 Conformity assessment — Vocabulary and general principles* published by the International Organization for Standardization and as in force from time to time.

labelled, in relation to an appliance, means:

- (a) a label, symbol or other identifying mark of an accredited conformity assessment body has been attached to the appliance; and
- (b) the label indicates compliance with the relevant technical standard.

listed, in relation to an appliance, means a method used by an accredited conformity assessment body to verify that the appliance has been certified.

Example Some accredited conformity assessment bodies publish lists of certified appliances on an internet site.

rappelling has the meaning given by section 1.04 of the Part 138 MOS.

relevant technical standard, in relation to an appliance, means a technical standard, approved by a national or international standards body, that applies to the appliance and is mentioned in any of the following:

- (a) the document titled *NFPA 2500 Standard for Operations and Training for Technical Search and Rescue Incidents and Life Safety Rope and Equipment for Emergency Services*, published by the National Fire Protection Association (USA) and as in force from time to time;
- (b) a European Standard that relates to personal protective equipment against falls from a height and as in force from time to time;
- (c) an advisory circular issued by CASA, as in force from time to time.

search and rescue operation has the meaning given by section 1.07 of the Part 138 MOS.

special purpose operations has the meaning given by subregulation 21.025 (2) of CASR.

type examination certificate means a document issued by an accredited conformity assessment body, certifying that an appliance design has undergone thorough type examination, testing and assessment and meets the requirements of the relevant European Standard and EU Directives.

[2] Part 2

substitute

Part 2 — Type certificates and type acceptance certificates

2.01 Prescribed airworthiness standards

- (1) For the purposes of regulation 21.017 of CASR, the following airworthiness standards are prescribed, with the changes provided under this section:
 - (a) CS-LSA (EASA);
 - (b) CS-VLR (EASA).
- (2) For this section, a reference in CS-LSA (EASA) or EASA CS-VLR (EASA) to the Agency is taken to be a reference to CASA.
- (3) For the application of EASA CS-LSA (EASA) and EASA CS-VLR (EASA) (the *prescribed Standards*) under this section:
 - (a) an approval (however described) mentioned in the prescribed Standards may be given by CASA; and
 - (b) CASA may suspend or cancel an approval given under paragraph (a) if it is necessary in the interests of aviation safety; and
 - (c) an approval (however described) given by or for EASA under the prescribed Standards is taken to have been given by CASA under Subpart 21.B of CASR; and
 - (d) for Subpart 21.B of CASR, CASA may suspend or cancel an approval given by or for EASA under the prescribed Standards, as if it had been given by CASA, if it is necessary in the interests of aviation safety.

[3] After Part 2

insert

Part 2A — REQUIREMENTS FOR FOREIGN NON-CIVIL AIRCRAFT TO BE TYPE CERTIFICATED IN THE RESTRICTED CATEGORY FOR SPECIAL PURPOSE OPERATIONS

Division 1 Preliminary

2A.01 Application, etc.

- (1) This Part applies in relation to:
 - (a) an aircraft for which a person applies for a type certificate in the restricted category for one or more special purpose operations; and
 - (b) the applicant mentioned in paragraph (a).
- (2) The requirements set out in this Part are prescribed for the purposes of subparagraph 21.025 (1) (b) (iii) of CASR.

Division 2 Requirements for applications

2A.02 Applications

Part 11 of CASR applies in relation to an application by a person (an *applicant*) for a foreign non-civil aircraft to be type certificated in the restricted category for a specified special purpose operation.

Division 3 Requirements for foreign non-civil aircraft to be relevantly type certificated

2A.03 Requirements

- (1) A foreign non-civil aircraft must have each of the following such that, in association with each other, including any conditions imposed by CASA limiting the aircraft's operation and use, the aircraft can reasonably be expected to be safe for the special purpose operation for which a type certificate in the restricted category would be issued:
 - (a) design data that identifies and underpins the airworthiness limitations, however described, of the aircraft;
 - (b) a documented and justified aircraft configuration;
 - (c) critical parts of the aircraft that are accountable and traceable to the aircraft manufacturer or another reliable source;
Note Critical part is defined in the CASR Dictionary.
 - (c) applicable aeronautical data;
Note Aeronautical data is defined in section 1.10.
 - (d) a detailed aircraft operational service history since manufacture;
 - (e) a detailed aircraft maintenance history since manufacture;
 - (f) the aircraft's proposed maintenance program that considers the aircraft's history and its intended special purpose operation.
- (2) CASA may impose conditions limiting use on the type certificate of a foreign non-civil aircraft type in the restricted category for a specified special purpose operation.
- (3) Without affecting anything in Part 11 of CASR, an applicant must provide CASA with sufficient authenticated and reliable designs, documents, records, data and information, however described, in relation to the matters mentioned in subsection (1) for CASA to be satisfied that:
 - (a) the operation of the aircraft in the intended special purpose operations, subject to any conditions, would not be likely to have an adverse effect on the safety of air navigation; and
 - (b) subject to any conditions, the aircraft could reasonably be expected to be safe for the special purpose operation for which the type certificate would be issued.

Note Guidance on the nature and source of appropriate designs, documents, records, data and information for this section is contained in Advisory Circular 21-06, as available from time to time.

[4] Part 11

substitute

Part 11 — Approval of materials, parts, processes and appliances

11.1 Approval — medical transport and search and rescue operations

- (1) For the purposes of paragraph 21.305 (da) of CASR, a certified appliance mentioned in subsection (2) is approved for the purposes of:
 - (a) the operation of a rotorcraft for a medical transport operation; or
 - (b) a search and rescue operation.
- (2) For the purposes of subsection (1), the following types of certified appliances, as defined in the relevant standard, are approved:
 - (a) victim extrication device;
 - (b) life safety harness or full body harness;
 - (c) rescue harness and rescue loop;
 - (d) litter;
 - (e) auxiliary equipment;
 - (f) carabiner;
 - (g) lanyard;
 - (h) low stretch life safety rope.
- (3) For the purposes of paragraph 21.305 (e) of CASR, CASA may approve a certified appliance for the purposes mentioned in subsection (1) by approving the appliance in an advisory circular issued by CASA.
- (4) An approval under this section is subject to the conditions set out in section 11.3.

11.2 Approval — rappelling operations

- (1) For the purposes of paragraph 21.305 (da) of CASR, the following types of certified appliances, as defined in the relevant standard, are approved for the purposes of a Class D external load aerial work operation of CASR that involves rappelling:
 - (a) belay device;
 - (b) descent control device;
 - (c) pulley;
 - (d) carabiner;
 - (e) low stretch life safety rope.
- (2) For the purposes of paragraph 21.305 (e) of CASR, CASA may approve a certified appliance for the purposes of a Class D external load aerial work operation that involves rappelling by approving the appliance in an advisory circular issued by CASA.
- (3) An approval under this section is subject to the conditions set out in section 11.3.

11.3 Conditions on approval of certified appliances for human external cargo operations

- (1) An operator who proposes to equip a certified appliance on an aircraft must ensure that the selection of the appliance for an operation, including determining its fitness for purpose, is done in accordance with the operator's safety management system.

Note 1 Risk assessments must be conducted in accordance with regulation 119.190 of CASR for Australian air transport operations and in accordance with regulation 138.370 of CASR for aerial work operations.

Note 2 An approval under this Part is an approval under Part 21 for the appliance to function within its intended purpose. How the equipment is used, in what capacity and under what conditions is the subject of a separate approval for particular kinds of operation under Part 133 or Part 138 of CASR.

- (2) An operator who equips a certified appliance on an aircraft for a human external cargo operation must ensure that the aircraft flight manual for the aircraft contains procedures (including limitations) for conducting human external cargo operations.
- (3) An operator who equips a certified appliance on an aircraft must ensure that detailed procedures (including limitations) for the use of the appliance are set out in the operator's exposition or operations manual.
- (4) In the case of a certified appliance that is certified in respect of a European Standard, an operator must not equip the appliance on an aircraft unless the operator has a copy of:
 - (a) a valid type examination certificate for the appliance; and
 - (b) a Declaration of Conformity for the appliance.
- (5) The approval of an appliance under section 11.1 or 11.2 ceases to be in force if:
 - (a) the appliance ceases to be listed; or
 - (b) the type examination certificate for the appliance is withdrawn or cancelled.
- (6) An operator must ensure that any certified appliance that is equipped on an aircraft is labelled at all times:
 - (a) in a manner that is legible; and
 - (b) in accordance with the appliance manufacturer's original labelling requirements.
- (7) An operator who equips a certified appliance on an aircraft must ensure that the appliance is retired from use in accordance with the manufacturer's instructions.
- (8) If the manufacturer of a certified appliance has not provided a retirement time in respect of the appliance, an operator who equips the appliance on an aircraft must establish inspection procedures to verify the on-going function of the appliance, including criteria for when the appliance must be retired from use.
- (9) An operator who equips a certified appliance on an aircraft must ensure that the appliance is maintained and stored in accordance with the manufacturer's instructions.
- (10) An operator who equips a certified appliance on an aircraft must retain maintenance schedules and associated records and make them available for inspection by CASA on request.

- (11) If an operator who equips a certified appliance on an aircraft becomes aware of a major defect in the aircraft, the operator must, within 2 days after becoming aware of the defect, report the defect to the manufacturer and CASA.
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