



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX92/20

I, RICHARD MARK STOCKER, Acting Branch Manager, Airworthiness & Engineering, National Operations & Standards Division, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed R. Stocker]

Richard Stocker

Acting Branch Manager, Airworthiness & Engineering
National Operations & Standards Division

24 June 2020

CASA EX92/20 — Materials Flammability Airworthiness Standards (Medical Isolation Transportation Devices) Instrument 2020

1 Name

This instrument is *CASA EX92/20 — Materials Flammability Airworthiness Standards (Medical Isolation Transportation Devices) Instrument 2020*.

2 Duration

This instrument:

- (a) commences on the day after registration; and
- (b) is repealed at the end of 31 May 2023.

Note For regulation 11.250 of CASR, the direction in section 7 ceases to be in force at the end of 31 May 2023.

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: ***aircraft***, ***approved design organisation***, ***authorised person***, ***FARs***, ***flight manual***, ***modification/repair design approval*** and ***operator***, of an aircraft.

In this instrument:

applicable airworthiness standards has the meaning given in regulation 21.403 of CASR.

applicable approved design organisation means an approved design organisation that holds an in force approval granted by CASA under regulation 21.243 of CASR, determining that the organisation is approved to carry out the following approval activities for an MITD:

- (a) approving technical data under regulation 21.009 of CASR;
- (b) granting a modification/repair design approval under regulation 21.437 of CASR.

Note The definition of **approval activity** in regulation 21.233 of CASR includes, at paragraphs (c) and (h), the activities mentioned in paragraphs (a) and (b) of the definition of **applicable approved design organisation**.

applicable authorised person means a person who is appointed by CASA as an authorised person for the grant of:

- (a) an approval under regulation 21.009 of CASR of technical data for a design, submitted by an applicant in connection with an application; and
- (b) a modification/repair design approval under regulation 21.437 of CASR.

applicant means a person who applies for the grant, under regulation 21.437 of CASR, of a modification/repair design approval of the design of an MITD, by:

- (a) an applicable authorised person; or
- (b) an applicable approved design organisation.

MITD means Medical Isolation Transportation Device.

4 Exemptions

- (1) An applicable authorised person is exempt from compliance with:
 - (a) subregulation 21.009 (2) of CASR, to the extent that the subregulation requires the person, before granting a modification/repair design approval, to be satisfied that the technical data submitted by an applicant demonstrates that the applicant's design for an MITD complies with the applicable airworthiness standards for materials flammability; and
 - (b) regulation 21.437 of CASR, to the extent that the regulation requires the person, before granting a modification/repair design approval, to be satisfied that an applicant's design for an MITD complies with the applicable airworthiness standards for materials flammability.

Note Relevant materials flammability standards include the standards for aircraft compartment interiors mentioned in the following:

- (a) FARs section 25.853 and Appendix F to Part 25, freely available at https://www.ecfr.gov/cgi-bin/text-id.x?SID=0a5769a197b795cb906cc41d7fe30970&mc=true&node=se14.1.25_1853&rgn=div8;
 - (b) European Aviation Safety Agency Certification Specification CS 25.853, freely available at <https://www.easa.europa.eu/regulations#regulations-initial-airworthiness>.
- (2) The exemptions in subsection (1) are subject to the condition mentioned in subsection 5 (1).
 - (3) An applicable approved design organisation is exempt from compliance with:
 - (a) subregulation 21.009 (2) of CASR, to the extent that the subregulation requires the organisation, before granting a modification/repair design approval, to be satisfied that the technical data submitted by an applicant demonstrates that the applicant's design for an MITD complies with the applicable airworthiness standards for materials flammability; and
 - (b) regulation 21.437 of CASR, to the extent that the regulation requires the organisation, before granting a modification/repair design approval, to be satisfied that an applicant's design for an MITD complies with the applicable airworthiness standards for materials flammability.
 - (4) The exemptions in subsection (3) are subject to the condition mentioned in subsection 5 (2).

5 Conditions

- (1) An applicable authorised person must ensure that a modification/repair design approval granted for a design for an MITD is subject to conditions that require the operator of an aircraft that carries an MITD to comply with the requirements for carrying an MITD mentioned in Schedule 1.
- (2) An applicable approved design organisation must ensure that a modification/repair design approval granted for a design for an MITD is subject to conditions that require the operator of an aircraft that carries an MITD to comply with the requirements for carrying an MITD mentioned in Schedule 1.

6 Savings

Despite the repeal of this instrument by paragraph 2 (b), a modification/repair design approval, granted in accordance with this instrument by either of the following, that was in force immediately before the repeal of this instrument continues to be in force according to its terms after the repeal of this instrument:

- (a) an applicable authorised person;
- (b) an applicable approved design organisation.

7 Direction

The operator of an aircraft that carries an MITD must comply with the requirements for carrying an MITD mentioned in Schedule 1.

Schedule 1 Requirements for carrying an MITD

- 1 The operator of an aircraft that carries an MITD must ensure that the approved supplement to the flight manual for the aircraft includes:
 - (a) a notice to crew that the MITD does not meet cabin interior materials flammability requirements; and
 - (b) an additional briefing to the occupants of the aircraft which instructs the occupants on the fire containment procedures associated with the MITD.

Note Clause 37 in Part 2 of the CASR Dictionary interprets the term **flight manual** and, relevantly at subparagraph 37 (1) (c) (i), mentions that a reference in CAR or CASR to an aircraft's flight manual includes each supplement to the flight manual that is approved by CASA, an authorised person or an approved design organisation under regulation 21.006A of CASR.

- 2 The operator of an aircraft that carries an MITD must ensure that the MITD is placarded with a statement visible to the occupants of the aircraft, informing the occupants that the MITD does not meet the materials flammability requirements for the cabin interior of the aircraft.
- 3 The operator of an aircraft that carries an MITD must ensure that the aircraft contains at least one fire extinguisher that is easily accessible to the occupants of the cabin.