



Australian Government

Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 133.020 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

12 February 2024

Part 133 Manual of Standards Amendment Instrument 2024 (No.1)

1 Name of instrument

This instrument is the *Part 133 Manual of Standards Amendment Instrument 2024 (No. 1)*.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendment of the Part 133 Manual of Standards

Schedule 1 amends the *Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020*.

Schedule 1 Amendments

[1] Subsection 1.04(2), definition of recognised foreign State

repeal and substitute

recognised foreign State has the meaning given by regulation 61.010 of CASR.

[2] Paragraph 3.02(a)

repeal and substitute

- (a) the rotorcraft's certificate of registration;
- (aa) for a registered rotorcraft — the rotorcraft's certificate of airworthiness;
- (ab) for a foreign-registered rotorcraft — the rotorcraft's authorisation (however described) that is equivalent to a certificate of airworthiness;

[3] Section 7.01, the chapeau

omit

Subject to subsections (3) and (4), for

insert

For

[4] Subsections 7.01(3) and (4)

repeal

[5] Subsection 7.02(2)

repeal and substitute

- (2) A safety briefing, instruction or demonstration mentioned in this section must be given to a passenger as follows:
- (a) before the passenger boards the rotorcraft — following the operator’s pre-flight boarding procedures; or
 - (b) with the passenger on board the rotorcraft — before the rotorcraft’s engines are started for the flight; or
 - (c) with the passenger on board the rotorcraft and the rotorcraft’s engines started for the flight — before take-off but only if the rotorcraft is carrying a crew member (other than the pilot in command) who can give the safety briefing, instruction or demonstration without otherwise affecting the safety of the rotorcraft.

[6] Paragraph 8.05(2)(c)

repeal

[7] Section 8.08, the Note

repeal and substitute

- Note 1 On ceasing the relevant NVIS operation, the pilot in command, if at a lower altitude, must immediately climb to at least the minimum altitude for a VFR flight at night, or an IFR flight, conducted without the use of NVIS.
- Note 2 See also Division 5 of Chapter 11 for rules relating to the fitment and use of rotorcraft exterior lighting.

[8] Section 8.10

omit

Table 8.09(1) (thrice occurring)

insert

Table 8.10(1)

[8A] Section 9.02

repeal and substitute

9.02 Restraining of persons on a flight of a rotorcraft

- (1) Each person on a flight of a rotorcraft must be restrained or carried (as applicable), in accordance with section 9.03, 9.04 or 9.05, when:
- (a) for a VFR flight by day — the rotorcraft flies below 1 000 ft AGL; or
 - (b) for a VFR flight at night — the rotorcraft is flown along a route, or route segment, at a height lower than the minimum height mentioned in subregulation 91.277(2) of CASR; or
 - (c) for an IFR flight — the rotorcraft is flown along a route, or route segment, at a height lower than the minimum height mentioned in subregulation 91.305(2) of CASR; or
 - (d) the pilot in command of the rotorcraft, acting in accordance with the rotorcraft operator’s exposition, directs that the person be restrained.

(2) The requirements stated in this section are directions to the person for the purposes of regulation 11.245 of CASR.

(3) The directions cease to be in force at the end of 31 January 2027.

[9] Subsection 9.04(1)

omit

is restrained

insert

is restrained or carried (as applicable)

[10] After subsection 9.04(1)

insert

Note Being restrained refers to use of a safety harness and a restraint strap, or stretcher straps.

[11] Paragraph 9.04(2)(c)

omit

seat

insert

seat or stretcher

[12] Paragraph 9.04(2)(d)

omit

seat

insert

seat or stretcher

[13] Subsection 9.04(3)

omit

equipment (twice occurring)

insert

restraint equipment

[14] Subsection 9.04(4)

omit

the equipment:

insert

that, except in relation to any potential flammability of cushioning material, the equipment for the restraint of a person on a stretcher:

[14A] Subparagraph 10.18(2)(b)(ii)

repeal and substitute

- (ii) the NAA of a recognised foreign State under EASA-OPS Part CAT (EU Regulation n 965/2012), AMC1 CAT.POL.H.305 or an equivalent standard.

[15] Paragraph 10.22(a)

repeal and substitute

- (a) a detailed description of the operator's usage monitoring system that is used to record and store data relating to:
 - (i) the rotorcraft's engines; and
 - (ii) its transmission systems (where applicable);

[16] Paragraphs 10.26(a) and (b)

repeal and substitute

- (a) for flight over a populous area, the pilot in command must operate the rotorcraft to maximise the availability of suitable forced landing areas;

Note Regulation 91.055 of CASR also requires the pilot in command to ensure that the rotorcraft is operated in a manner that does not create a hazard to another aircraft, a person or property.

[17] Subsection 10.31(3)

omit

- (i), (ii) or (iii)

insert

- (i), (ii), (iii), (iv) or (v)

[18] Paragraphs 11.01(5)(b) and (c)

repeal and substitute

- (b) any mention of feet (or ft) in the context of an altitude is taken to mean feet above mean sea level (AMSL), unless otherwise stated.

[19] Subsection 11.02(3)

omit

fitted

insert

to be fitted

[20] Subsection 11.15(2)

omit

When required

insert

Subject to section 8.08, when required

[21] Paragraph 11.16(3)(c)

omit

an aural warning

insert

an aural or visual warning

[22] Subsection 11.34(1)

omit

be fitted with

insert

be fitted with or carry

[23] Subsections 11.35(1), (2), (3) and (4)

repeal and substitute

- (1) An unpressurised rotorcraft operated at a pressure altitude above 10 000 ft (a **relevant rotorcraft**) must be fitted with or carry sufficient supplemental oxygen to meet the requirements set out in Table 11.35(1).
- (2) For a person mentioned in column 1 of an item in Table 11.35(1), supplemental oxygen must be made available in accordance with the supply requirements mentioned for the item in column 2.
- (3) Each flight crew member, and each other crew member, must use the supplemental oxygen made available to them under subsection (2):
 - (a) when the rotorcraft's cabin pressure altitude exceeds 13 000 ft; and
 - (b) if the rotorcraft's cabin pressure altitude exceeds 10 000 ft for a period of, or periods totalling, 30 minutes — during any further period when the cabin pressure exceeds 10 000 ft.
- (4) A relevant rotorcraft must be fitted with or carry supplemental oxygen equipment capable of storing and dispensing supplemental oxygen to crew members and passengers under this section.

[24] Section 11.35, Table 11.35(2), the heading

omit

Table 11.35(2)

insert

Table 11.35(1)

[25] Paragraph 11.50(4)(c), the chapeau

repeal and substitute

- (c) for a rotorcraft which, on or after 1 January 1991, was first issued with a certificate of airworthiness, or an authorisation (however described) equivalent to a certificate of airworthiness issued by the NAA of a Contracting State.

[26] Division 13 of Chapter 11, the heading

repeal and substitute

Division 13—Surveillance equipment

[27] Section 11.53, the heading

repeal and substitute

11.53 Carriage of surveillance equipment

[28] Subsection 11.53(1)

repeal

[29] Subsection 11.53(2)

omit

For subsection (1), a

insert

A

[30] Subsection 11.53(2), Table 11.53(2), item 3, paragraph (a)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[31] Subsection 11.53(2), Table 11.53(2), item 4, paragraph (a)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[32] Section 11.54, the heading

repeal and substitute

11.54 Operation of surveillance equipment — general requirements

[33] Subsections 11.54(1), (2), (3) and (4)

repeal and substitute

- (1) The requirements of this section are subject to section 11.58.
- (2) Surveillance equipment required to be fitted to, or carried on, a rotorcraft by section 11.53 must be continuously operated during the circumstances mentioned in section 11.53.

Note Continuous operation for a transponder means that the equipment must be operated in a mode that enables an SSR response to be transmitted.
- (3) Subsection (2) does not apply if ATC has issued an instruction that the surveillance equipment is not to be operated.
- (4) If a rotorcraft is fitted with more than 1 approved transponder, only 1 transponder is to be operated at any time.

[34] Subsection 11.54(8)

repeal and substitute

- (8) Pressure altitude information reported by an approved transponder or an approved ADS-B OUT equipment configuration must be determined by:
- (a) a barometric encoder of a type authorised by CASA or the NAA of a recognised country in accordance with (E)TSO-C88a; or
 - (b) another system approved under Part 21 of CASR as having a level of performance equivalent to a system mentioned in paragraph (a).

[35] Section 11.55, the heading

repeal and substitute

11.55 Mode S transponders and ADS-B OUT — specific requirements

[36] Subsection 11.55(4)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[37] Subsection 11.55(6)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[38] Subsection 11.56(1)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[39] Subsection 11.56(2)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[40] Subsection 11.57(3)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[41] Subsection 11.57(4)

omit

issued with a certificate of airworthiness

insert

certificated in its country of manufacture

[42] Section 11.58, the heading

repeal and substitute

11.58 Rotorcraft flown with inoperative surveillance equipment

[43] Section 11.58, the chapeau

omit

An approved transponder

insert

Surveillance equipment

[44] Paragraph 11.58(a)

omit

approved transponder

insert

surveillance equipment

[45] Paragraph 11.58(b)

omit

approved transponder

insert

surveillance equipment

[46] Section 11.58, the Note

repeal and substitute

Note See also section 11.04 for additional requirements related to a flight with inoperative equipment. For a flight with inoperative surveillance equipment, within controlled airspace or at a controlled aerodrome, Division 11.2 of the Part 91 Manual of Standards has requirements related to ATC clearances. Whether a clearance is issued, or when a clearance may be issued, could be affected by the flight not being conducted with operative surveillance equipment.

[47] Chapter 11, Division 14—Night vision imaging systems Reserved

repeal

[48] Section 12.13

omit

12.08(3) (wherever occurring)

insert

12.08(4)
