Instrument number CASA EX85/24

I, steven JAMES campbell, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed S. Campbell]**

Steven Campbell
Executive Manager, National Operations & Standards

28 November 2024

CASA EX85/24 – Amendment of CASA EX89/23 (SMA-2160 Series Life Jackets) – Exemption Instrument 2024

1 Name

 This instrument is *CASA EX85/24 – Amendment of CASA EX89/23 (SMA-2160 Series Life Jackets) – Exemption Instrument 2024*.

2 Commencement

 This instrument commences on the day after it is registered.

3 Amendment of CASA EX89/23

 Schedule 1 amends *CASA EX89/23 — Crew Life Jackets (SMA-2160 Series) Exemption Instrument 2023*.

Schedule 1 Amendments

[1] Paragraph 2(b)

repeal and substitute

(b) is repealed at the end of 30 November 2025.

[2] Section 4

omit

This instrument applies,

insert

Subject to section 4A, this instrument applies,

[3] After section 4

insert

4A Procurement of compliant life jackets

 (1) This instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of 3 February 2025 if the operator fails to comply with the applicable requirements of subsection (2).

 (2) By not later than the end of 3 February 2025 — the operator must provide CASA with a statement that details the following:

(a) the operator’s efforts to obtain a compliant life jacket (including with applicable dates) for:

 (i) each applicable person mentioned in paragraph 26.56(2)(b) of the Part 91 MOS who is a crew member; and

 (ii) each applicable person mentioned in paragraph 11.49(2)(b) of the Part 133 MOS who is a crew member;

(b) the results of those efforts, including an expected date for the procurement of, and commencement of use of, the compliant life jackets (the ***nominated expected date***).

*Note* *1*   The statement should be provided to CASA by email to fsb.corro@casa.gov.au.

*Note* *2*A failure to expeditiously send a compliant statement to CASA may delay the time at which an operator may receive a CASA permission under subsection (5) below and may, therefore, affect an operator’s ability to continue to use the exemption instrument.

 (3) For this instrument, a statement under subsection (2) is deemed to be an application for a CASA permission to continue to use this exemption instrument until the nominated expected date for the procurement of the compliant life jackets.

*Note*   CASA may grant a permission for the purposes of this subsection. This would be a reviewable decision for the Administrative Review Tribunal.

 (4) Subject to subsection (1), this instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of 3 March 2025 if the operator fails to satisfy the applicable requirement under subsection (5).

 (5) By not later than the end of 3 March 2025, the operator must hold a CASA permission, for the purposes of this section, that authorises the operator to continue to use this exemption instrument until the end of a date specified in the permission.

*Note*   The date specified in the permission may or may not be the same date as the operator nominated expected date, and must be a date that is not later than 30 November 2025 (the date of expiry of this instrument).

 (6) This instrument ceases to apply to an operator and their pilot in command mentioned in section 4 at the end of the date specified in the permission mentioned in subsection (5).