


OPERATIONS ADVISORY NOTICE (OAN)	
OAN Number: 04/20 Rev 7	Issue Date: 19 November 2021
Subject: Information regarding Transport of Cargo in Passenger Compartments during SARS-CoV-2 outbreak	



Transport Malta

Civil Aviation Directorate  
Flight Operations Inspectorate  
Transport Malta Centre  
Triq Pantar  
Lija LJA 2021  
Malta

## 1.0 INTRODUCTION

In the current global situation, air cargo services are deemed vital for the economy and in the fight against COVID-19. It is important that air cargo should be able to deliver continuously critical products such as food, medical supplies, personal protective equipment (PPE), and other products, which are vital for the functioning of sensitive supply chains. In view of these developments, operators may be required to fly cargo using aircraft certified for the carriage of passengers.

This OAN refers to guidelines by EASA for the required process, including but not limited to the content of the safety risk assessment, procedures for crew and other aspects. The objective of the document is to serve as guidance to competent authorities, however given the extensive information this is being provided to all operators under CAD oversight.

Revision 1 - EASA Guidelines Issue 2.

Revision 2 - EASA Guidelines Issue 4.

Revision 3 – EASA Guidelines Issue 5.

Revision 4 - EASA Guidelines Issue 5.1.

Revision 5 – Clarification on text and inclusion on monitoring post exemption grant

**Revision 6 – Update to the source document CS 25.855 related to the design of cargo compartments installed on Large Aeroplanes.**

## **2.0 SCOPE OF EXEMPTIONS**

Operators wishing to use passenger aircraft to transport cargo on the main deck should apply and receive from EASA time-limited airworthiness approvals for those aircraft configurations in which the cabin does not meet any of the CS-25 cargo compartment class definitions.

TM-CAD will nonetheless consider granting of exemptions in accordance to flexibility provisions set out by Article 71(1) or 71 (2) of the Basic Regulation, and subject to the following:

- The period of exemption granted shall be of a limited duration, not exceeding 8 months total under article 71 (1). The initial 71(1) exemption will be granted for 3 months, any extensions will be subject to evidence of progress of STC approval, Article 71 (2)), and will be granted for 3 months on a case-by-case basis;

- The exempted provisions will be limited to:
  - CAT.IDE. A.100 “Instrument and Equipment/General,” if applicable,
  - CAT.OP.MPA.160 “Stowage of Baggage and Cargo”,
  - Part 21.A.181 Duration and continued validity (of the airworthiness certificate)
  - M.A.304, M.A.501 M.A.902(b)(2), M.A.902(b)(5) of the Annex I (Part M)

The exemption will allow, on a temporary and short-term basis, the transport of cargo in the passenger cabin including on installed seats, with adequate restraint systems/means.

In the case of exemptions to the requirements to use/install only approved equipment and aircraft configurations, these will be limited to cases where no approved design data are available.

### 3.0 OPERATIONAL ASPECTS

Section 3 of the document contains essential elements that the operator needs to identify and assess. Operators are required to include all the elements herein in the risk assessment. TM-CAD will not process and provide additional specific approval to carry dangerous goods (DG) other than those already approved.

Operators need to be wary of potential hidden DG that medical supplies and similar cargo shipments may contain. Operators approved to transport DG, may use the limits in the Technical Instructions for Cargo Aircraft only for flight where no passengers are carried. DG **forbidden** from carriage in Passenger and Cargo aircraft shall not be carried on board aircraft under this exemption.

Operators are to observe the restrictions to the kind of cargo as indicated in Annex 1 of the EASA Guidelines Document. Mail and any type of unidentified cargo is strictly prohibited from being carried in the cabin.

NOTE - The EASA guidelines for transport of cargo in in the passenger compartment recommend a time limit from installation of the STC for this kind of operation set at 2000 block hours(live sector carrying cargo in passenger compartment) or 31<sup>st</sup> July 2022, whichever occurs first. Consultation [document 25.855](#) related to the design of cargo compartments installed on Large Aeroplanes has been updated.

### 4.0 AIRWORTHINESS ASPECTS FOR TRANSPORT OF CARGO IN THE PASSENGER CABIN OF LARGE AEROPLANES

Section 5 provides details on airworthiness aspects and types of transports requiring change approval.

## 5.0 ACTION BY OPERATORS

Having applied for a time limited EASA airworthiness approval an operator that has an urgent need to apply for an exemption to carry cargo and / or dangerous goods using aircraft certified for passenger transport, is to make the necessary application through Centrik and provide the following:

- evidence that an application for an associated major change to TC or STC has been made to EASA.
- description and scope of exemption being requested, including estimated duration.
- adequate risk assessments.
- evidence that the compliance monitoring function includes inspections within the exemption period to ensure compliance with the limitations and procedures of the exemptions.
- documentary evidence to show that the requirements set out in this OAN and Annex 1, Appendix 1 and 2 to Annex 1 of the EASA document are fully met.
- Monitoring of the utilisation / time limit stipulated in Point 3.0.

Operators that have already been granted an exemption as per article 71 (1) and have used this exemption for the full period of up to 8 months but want to continue to transport cargo must install a design change approved by EASA or must obtain an extension as per 71 (2) of the BR. TM CAD may grant exemptions as per 71(2) of the BR, provided that:

- The operator provides evidence that an application for an associated major change to TC or STC has been submitted to EASA.
- The duration of the requested exemption in accordance with Art. 71(2) of the BR does not exceed the time to complete the technical investigation for the associated design change approval (not more than 3 months).
- The operator applies the technical guidance as detailed in Annex 1 of the EASA guidelines Issue 5.1

Operators are expected to monitor, updates to EASA [guidelines on dedicated website](#). updates on Operators shall also make use of guidelines issued by TC holders where available. The notification shall make clear references to provisions in the regulation to which an exemption is requested for. Operators are to ensure that their safety risk assessment is updated in accordance with the above-mentioned guidelines and their own experience from their operational feedback. It is expected that the compliance monitoring system of the operator includes the necessary additional checks to ensure that the aircraft are operated within the limits of the exemption.

The transport of Covid-19 vaccines will require a specific application to the flight operations inspectorate. Operators are required to submit the required risk assessment and procedures outlined in the [EASA Guidelines](#).

## **6.0 ACTION BY TM-CAD**

The Flight Operations Inspectorate will conduct ad-hoc inspections to ensure that the conditions of the exemptions are being adhered to. Any non-compliance with such conditions may lead to the suspension or revocation of the same exemption.

**Flight Operations Inspectorate**