

Subpart B — Adventure Aviation Operator Certification Requirements

115.51 Qualifications and experience of senior persons

(a) An applicant for the grant of an adventure aviation operator certificate must employ, contract, or otherwise engage—

- (1) a senior person identified as the chief executive who—
 - (i) has the authority within the applicant's organisation to ensure that every activity undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
 - (ii) is responsible for ensuring that the organisation complies with this Part; and
- (2) a senior person or persons—
 - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
 - (ii) responsible for the functions referred to in paragraph (b)(1); and
 - (iii) ultimately responsible to the chief executive; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's exposition.

(b) The senior person or persons required by paragraph (a) must—

- (1) unless otherwise acceptable to the Director as a consequence of the size and expected scope of the applicant's organisation, each be responsible for not more than one of the following functions—
 - (i) adventure aviation operations, including the flight and descent operations and any applicable ground support operations:
 - (ii) crew member and ground crew training and competency assessment:
 - (iii) the control and scheduling of maintenance (Maintenance Controller):

Subpart B — Certification Requirements

115.51 Personnel requirements

(a) An applicant for the grant of an adventure aviation operator certificate must employ, contract, or otherwise engage—

- (1) a senior person identified as the chief executive who—
 - (i) has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
 - (ii) is responsible for ensuring that the applicant's organisation complies with the requirements and standards prescribed by this Part; and
- (2) a senior person or persons—
 - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
 - (ii) responsible for the functions referred to in paragraph (b)(1); and
 - (iii) ultimately responsible to the chief executive; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's exposition.

(b) The senior person or persons required by paragraph (a) must—

- (1) unless otherwise acceptable to the Director as a consequence of the size and expected scope of the applicant's organisation, each be responsible for not more than one of the following functions—
 - (i) adventure aviation operations, including the flight and descent operations and any applicable ground support operations:
 - (ii) crew member and ground crew training and competency assessment:
 - (iii) the control and scheduling of maintenance:

- (iv) the organisational management system:
 - (v) conducting occurrence investigations under Part 12; and
- (2) hold the minimum qualifications and experience listed in Appendix A as applicable to the function for which the person is responsible.

115.77 Organisational management system

(a) An applicant for the grant of an adventure aviation operator certificate must establish an organisational management system to ensure compliance with, and adequacy of, the procedures required by this Part.

(b) The organisational management system procedures must be of sufficient detail when considering the size and complexity of the operation to ensure that the appropriate organisational procedures are understood, implemented, and maintained at all levels of the organisation.

- (c) The organisational management system must include—
- (1) a safety policy and safety policy procedures, including the procedure for occurrence investigations conducted under Part 12; and
 - (2) a procedure for ensuring that personnel and customer feedback are monitored to identify existing problems or potential causes of problems within the system; and
 - (3) a procedure for ensuring that problems, or potential problems, that have been identified within the system are—
 - (i) corrected; and
 - (ii) checked to ensure that any corrections have been effective; and
 - (4) a procedure for hazard identification; and
 - (5) a procedure for risk assessment and mitigation; and
 - (6) a procedure for checking that the organisation's programmes and procedures achieve the stated aims of its safety policy; and
 - (7) a procedure for ensuring that the management of the organisation continues to be effective in satisfying the requirements of this Part, including—

- (iv) the system for safety management required under rule 115.77:
 - (v) conducting occurrence investigations in accordance with Part 12; and
- (2) hold the minimum qualifications, competency and experience listed in Appendix A that are applicable to the function for which the person is responsible.

115.77 Safety management

An applicant for the grant of an adventure aviation operator certificate must establish, implement, and maintain a system for safety management in accordance with rule 100.3.

- (i) a regular plan of review; and
- (ii) regular feedback to personnel including the results of the review and any actions undertaken to correct problems identified.

(d) The senior person who is responsible for the organisational management system must communicate with the Chief Executive on matters affecting safety.

(e) Paragraph (c) does not apply to an applicant for the grant of an adventure aviation operator certificate that intends to conduct adventure aviation operations—

- (1) with a total of 3 or less aircraft listed on the applicant's operations specifications; and
- (2) from a total of 2 or less bases.

115.79 Adventure aviation operator exposition

(a) An applicant for the grant of an adventure aviation operator certificate must provide the Director with an exposition that contains—

- (1) a statement signed by the chief executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
 - (i) define the adventure aviation organisation and demonstrate its means and methods for ensuring ongoing compliance with the requirements prescribed in this Part and any other applicable Part; and
 - (ii) are required to be complied with by the organisation's personnel at all times; and
- (2) the titles and names of the senior persons required by rules 115.51(a)(1) and (2); and
- (3) the duties and responsibilities of the senior persons referred to in paragraph (2)

115.79 Adventure aviation operator exposition

(a) An applicant for the grant of an adventure aviation operator certificate must provide the Director with an exposition that contains—

- (1) a statement signed by the chief executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
 - (i) define the adventure aviation organisation and demonstrate its means and methods for ensuring ongoing compliance with the requirements prescribed in this Part and any other applicable Part; and
 - (ii) are required to be complied with by the organisation's personnel at all times; and
- (1A) in relation to the system for safety management required by rule 115.77,—
 - (i) all of the documentation required by rule 100.3(b); and
 - (ii) for an applicant that is not applying for a renewal of an adventure aviation operator certificate, an implementation plan that describes how the system for safety management will be implemented; and
- (2) the titles and names of the senior persons required by rules 115.51(a)(1) and (2); and
- (3) the duties and responsibilities of the senior persons required by rules 115.51(a)(1)

- including matters for which they have responsibility to deal directly with the Director on behalf of the applicant's organisation; and
- (4) if appropriate, an organisation chart showing lines of responsibility of the senior persons referred to in paragraph (2) and extending to each location referred to in paragraph (5); and
- (5) details of the principal place of operation and the main maintenance base; and
- (6) details of the applicant's procedures required by this Part; and
- (7) details of—
- (i) the maintenance procedures required by rule 115.59 and rule 115.61; and
 - (ii) the maintenance programme required by rule 115.61; and
 - (iii) every maintenance organisation that performs maintenance on the applicant's aircraft; and
- (8) details of—
- (i) the drug and alcohol programme required by rule 115.62; and
 - (ii) the means by which the applicant will ensure that, as required by rule 115.231, an adventure aviation operation does not take place if, in the opinion of the applicant, any of the persons referred to in rule 115.62 is impaired; and
- (9) details of—
- (i) the scheme for regulation and recording of flight and duty times required by Subpart G; and
 - (ii) the briefing or training to be provided to each passenger in the safety and emergency procedures applicable to the type of adventure aviation
- and (2) including—
- (i) matters for which they have a responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
 - (ii) responsibilities for safety management; and
- (4) if appropriate, an organisation chart showing lines of responsibility of the senior persons required by rules 115.51(a)(1) and (2) and extending to each location referred to in paragraph (5); and
- (5) details of the principal place of operation and the main maintenance base; and
- (5A) information identifying the lines of safety responsibility within the organisation; and
- (6) details of the applicant's procedures required by this Part; and
- (7) details of—
- (i) the maintenance procedures required by rules 115.59 and 115.61; and
 - (ii) the maintenance programme required by rule 115.61; and
 - (iii) every maintenance organisation that performs maintenance on the applicant's aircraft; and
- (8) details of—
- (i) the drug and alcohol programme required by rule 115.62; and
 - (ii) the means by which the applicant will ensure that, as required by rule 115.231, an adventure aviation operation does not take place if, in the opinion of the applicant, any of the persons referred to in rule 115.62 is impaired; and
- (9) details of—
- (i) the scheme for regulation and recording of flight and duty times required by Subpart G; and
 - (ii) the briefing or training to be provided to each passenger in the safety and emergency procedures applicable to the type of adventure aviation

- operation to be performed; and
- (iii) the emergency situation action plans required by rule 115.209; and
- (iv) the flight crew and ground crew training programme required by Subpart E; and
- (v) the crew member and ground crew competency assessment programme required by Subpart F; and
- (10) details of the programmes required, as appropriate, by this Part; and
- (11) procedures for controlling, amending, and distributing the exposition.
- (b) The exposition must remain acceptable to the Director.

Subpart C—Operating Limitations and Requirements

115.109 Changes to certificate holder's organisation

- (a) **Subject to paragraph (b)**, a holder of an adventure aviation operator certificate must—
 - (1) ensure that the exposition required by rule 115.79 is amended—
 - (i) so **as to remain** a current description of the certificate holder's organisation; and
 - (ii) to ensure continued compliance with the applicable requirements prescribed in the Part or any other Part; and
 - (2) ensure that any **amendments** made to its exposition **meet** the applicable requirements of this Part or any other Part and **comply** with the amendment procedures contained in its exposition; and
 - (3) forward to the Director for retention a copy of each amendment to **its** exposition as soon as practicable after the amendment is incorporated into its exposition; and
 - (4) amend its exposition as the Director considers necessary in the interests of aviation safety.
- (b) **If the** holder of an adventure aviation operator certificate **changes or proposes to change**, any of the following, **the certificate holder must notify the Director prior to the change or as soon as practicable if prior notification is not possible, and the change must be**

- operation to be performed; and
- (iii) the emergency situation action plans required by rule 115.209; and
- (iv) the flight crew and ground crew training programme required by Subpart E; and
- (v) the crew member and ground crew competency assessment programme required by Subpart F; and
- (10) details of the programmes required, as appropriate, by this Part; and
- (11) procedures for controlling, amending, and distributing the exposition.
- (b) The **applicant's** exposition must be acceptable to the Director.

Subpart C—Operating Limitations and Requirements

115.109 Changes to certificate holder's organisation

- (a) A holder of an adventure aviation operator certificate must—
 - (1) ensure that the exposition required by rule 115.79 is amended—
 - (i) so **that it remains** a current description of the certificate holder's organisation; and
 - (ii) to ensure continued compliance with the applicable requirements prescribed in the Part or any other Part; and
 - (2) ensure that any **amendment** made to its exposition **meets** the applicable requirements of this Part or any other Part and **complies** with the amendment procedures contained in its exposition; and
 - (3) forward to the Director for retention a copy of each amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition; and
 - (4) amend its exposition as the Director considers necessary in the interests of aviation safety.
- (b) **Before** a holder of an adventure aviation operator certificate changes any of the following, **prior acceptance by the Director is required:**

accepted by the Director, including applicable fit and proper person criteria under section 10 of the Act, before being incorporated into the certificate holder's exposition:

- (1) the person identified as the chief executive:
 - (2) the title or name of any senior person specified in the exposition as required by rule 115.79:
 - (3) the locations referred to in rule 115.79(a)(5), from which the certificate holder conducts adventure aviation operations:
 - (4) the scope of the certificate holder's certificate:
 - (5) the overall scope or intent of the organisation's management system required by rule 115.77:
 - (6) the maintenance programme required by rule 115.61:
 - (7) any contractor carrying out the certificate holder's maintenance:
 - (8) the scheme for regulation of flight and duty time required by rule 115.401:
- (c) The Director may specify conditions on an adventure aviation operator certificate during or following any of the changes specified in paragraph (b).
- (d) The certificate holder must comply with any conditions specified by the Director under paragraph (c).
- (e) If any of the changes referred to in paragraphs (b) require an amendment to the certificate or the operations specifications, the certificate holder must forward the certificate or the operations specifications to the Director as soon as practicable.

- (1) the chief executive:
 - (2) the title or name of any senior person referred to in rule 115.79(a)(2):
 - (3) the locations referred to in rule 115.79(a)(5), from which the certificate holder conducts adventure aviation operations:
 - (4) the scope of the certificate holder's certificate:
 - (5) the system for safety management, if the change is a material change:
 - (6) the maintenance programme required by rule 115.61:
 - (7) any contractor carrying out the certificate holder's maintenance:
 - (8) the scheme for regulation of flight and duty time required by rule 115.401:
- (c) The Director may impose conditions under which the holder of the adventure aviation operator certificate must operate during or following any change specified in paragraph (b).
- (d) The certificate holder must comply with any condition imposed by the Director under paragraph (c).
- (e) If any change referred to in paragraph (b) requires an amendment to the certificate or the operations specifications, the certificate holder must forward the certificate or the operations specifications to the Director for endorsement of the change as soon as practicable.

Subpart CA—Transitional Provisions

115.151 Transition for adventure aviation operator certificate holders and applicants

- (a) This rule applies to each—
- (1) adventure aviation operator certificate holder:
 - (2) adventure aviation operator certificate applicant.

- (b) Before 1 February 2021, an organisation to which this rule applies—
- (1) is not required to comply with—
 - (i) rule 115.51(b)(1)(iv), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for an organisational management system;
 - (ii) rule 115.77, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established an organisational management system that complies with rule 115.153;
 - (iii) rule 115.79(a)(1A);
 - (iv) rule 115.79(a)(3)(ii);
 - (v) rule 115.79(a)(5A); but
 - (2) by 30 July 2018 must submit to the Director with the accompanying completed CAA form an implementation plan that—
 - (i) includes a proposed date for implementation of the system for safety management; and
 - (ii) outlines how the organisation plans to implement the system for safety management required under rule 115.77.
- (c) The Director will, if acceptable —
- (1) approve the organisation's implementation plan; and
 - (2) set the date for implementation of the system for safety management.
- (d) To avoid doubt, the date for implementation is the date the Director approves the system for safety management.
- (e) In setting the date under rule 115.151(c)(2) , the Director must have regard to the following:
- (1) the capability of the organisation;
 - (2) the complexity of the organisation;

- (3) the risks inherent in the activities of the organisation;
 - (4) the date of any certificate renewal;
 - (5) any resource or scheduling impacts on the organisation or the Authority or both;
 - (6) the date for implementation must not be later than 1 February 2021.
- (f) If the organisation is an applicant for an adventure aviation operator certificate it must submit its application for such a certificate together with the plan for implementation of the system for safety management.
- (g) This rule expires on 1 February 2021.

115.153 Transitional organisational management system for adventure aviation operator certificate holders and applicants

- (a) The organisational management system required by rule 115.151(b)(1)(ii) must be established to ensure the organisation's compliance with, and the adequacy of, the procedures required by this Part.
- (b) The organisational management system procedures must be of sufficient detail when considering the size and complexity of the operation to ensure that the appropriate organisational procedures are understood, implemented, and maintained at all levels of the organisation.
- (c) The organisational management system must include—
- (1) a safety policy and safety policy procedures, including the procedure for occurrence investigations conducted under Part 12; and
 - (2) a procedure for ensuring that personnel and customer feedback are monitored to identify existing problems or potential causes of problems within the system; and
 - (3) a procedure for ensuring that problems, or potential problems, that have been identified within the system are—
 - (i) corrected; and
 - (ii) checked to ensure that any corrections have been effective; and
 - (4) a procedure for hazard identification; and

- (5) a procedure for risk assessment and mitigation; and
- (6) a procedure for checking that the organisation’s programmes and procedures achieve the stated aims of its safety policy; and
- (7) a procedure for ensuring that the management of the organisation continues to be effective in satisfying the requirements of this Part, including—
 - (i) a regular plan of review; and
 - (ii) regular feedback to personnel including the results of the review and any actions undertaken to correct problems identified.
- (d) The senior person who is responsible for the organisational management system must communicate with the chief executive on matters affecting safety.
- (e) Paragraph (c) does not apply to an applicant for the grant of an adventure aviation operator certificate that intends to conduct adventure aviation operations—
 - (1) with a total of 3 or fewer aircraft listed on the applicant’s operations specifications; and
 - (2) from a total of 2 or fewer bases.
- (f) This rule expires on 1 February 2021.

Appendix A — Qualifications and Competency of senior persons

Appendix A — Qualifications and competencies of senior persons

Hot Air Balloon Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation

Hot Air Balloon Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

		industry; or 2 years experience with organisational management systems in the aviation industry.
--	--	---

Parachute-Drop Aircraft Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Tandem Parachute Descent Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Parachute-Drop Aircraft Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

Tandem Parachute Descent Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

Glider and Glider Tow Aircraft Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Glider and Glider Tow Aircraft Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

Special Aircraft Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Special Aircraft Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

Microlight Aircraft Operation		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

Microlight Aircraft Operation		
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.