



# Australian Government

---

## Civil Aviation Safety Authority

### **Civil Aviation Order 82.7 – Air Operators’ Certificates authorising commercial balloon licence or rating training (as amended)**

made under paragraph 28BA (1) (b) of the *Civil Aviation Act 1988*.

This compilation was prepared on 2 December 2021 taking into account amendments up to *Civil Aviation Order (Flight Operations) Repeal and Amendment Instrument 2021 (No. 1)*. It is a compilation of Civil Aviation Order 82.7 – Air Operators’ Certificates authorising commercial balloon licence or rating training as amended and in force on 2 December 2021.

Prepared by the Advisory and Drafting Branch, Legal, International and Regulatory Affairs Division, Civil Aviation Safety Authority, Canberra.

Compilation No. 3

### **Contents**

	Page
1 Application	1
2 Interpretation	1
4 Conditions	2
5 Obligations in relation to organisation and facilities	2
6 Chief Pilot	3
7 Obligations in relation to AOC Holder’s Safety Questionnaire	3
Appendix 1	4
Appendix 2	5
Notes to Civil Aviation Order 82.7	10

### **Section 82.7**

#### **Air Operators’ Certificates authorising commercial balloon licence or rating training**

---

##### **1 Application**

- 1.1 This section applies to Air Operators’ Certificates authorising the flying or operation of an aircraft for the purpose prescribed by paragraph 206 (a) of CAR and sets out the conditions to which such certificates are subject for the purposes of paragraph 28BA (1) (b) of the Act.

##### **2 Interpretation**

- 2.1 In this section:  
*certificate* means an Air Operator’s Certificate issued by CASA under Division 2 of Part III of the Act.

**flight crew member**, in relation to balloons, means a licensed crew member employed by an operator to carry out duties essential to the operation of a balloon during free flight time or tethered flight time and any reference to ‘flight crew’ has the same meaning.

*Note* This term has a meaning in this section that is different to the meaning of the term given by the Dictionary of CASR.

**operational support crew** means persons employed by an operator to carry out duties associated with loading, launching or retrieving balloons.

**passenger** means a person who is not a flight crew member.

*Note* This term has a meaning in this section that is different to the meaning of the term given by the Dictionary of CASR.

#### **4 Conditions**

- 4.1 Each certificate is subject to the condition that CASA may, by notice in writing given to the certificate holder, issue safety operational specifications to be complied with by the certificate holder.
- 4.2 Each certificate is subject to the condition that, where CASA issues safety operational specifications to the certificate holder, the holder must publish the material in a separate section of the operations manual reserved solely for those specifications, and that material may not be varied without the approval of CASA.
- 4.3 Each certificate is subject to the condition that, where the certificate holder is unable to comply with the safety operational specifications so issued, the holder will cease operations under the certificate until the holder is able to comply with those specifications.
- 4.5 Each certificate is subject to the condition that the obligations set out in subsection 5 are complied with.

#### **5 Obligations in relation to organisation and facilities**

- 5.1 Each operator must provide sufficient qualified personnel to operate the services proposed by the operator.
- 5.2 Each operator must establish a position of Chief Pilot and, subject to subsection 6, must appoint a person to that position.
- 5.3 CASA may, having regard to the size of the organisation or the nature and scope of services of an operator:
  - (a) require the operator to provide additional supervisory positions; or
  - (b) approve the allocation of the duties and responsibilities associated with more than 1 position to 1 person.
- 5.4 Each operator must provide and maintain facilities and documentation sufficient to enable the operator to conduct services with safety and in compliance with Appendix 1.
- 5.5 For the purposes of paragraph 5.4, the scale of the facilities and documentation required of each operator may vary according to the size and scope of the operation.
- 5.5A Each operator must provide an operations manual for the use and guidance of the operations personnel of the operator.

*Note* Before 2 December 2021, this requirement was in subregulation 215 (1) of CAR.

- 5.5B Each operator must ensure that the operations manual contains such information, procedures and instructions with respect to the flight operations of all types of aircraft operated by the operator as are necessary to ensure the safe conduct of the flight operations (other than information, procedures or instructions that are set out in other documents required to be carried in the aircraft under CAR and CASR).

*Note* Before 2 December 2021, this requirement was in subregulation 215 (2) of CAR.

- 5.5C Each operator must revise the operations manual from time to time where necessary as the result of changes in the operator's operations, aircraft or equipment, or in the light of experience.

*Note* Before 2 December 2021, this requirement was in subregulation 215 (5) of CAR.

- 5.5D Each operator must ensure that all amendments to the operations manual are incorporated in all copies of the operations manual kept within the operator's organisation and that copies of those amendments are forwarded to all persons to whom copies of the operations manual have been provided in accordance with paragraph 5.6.

*Note* Before 2 December 2021, this requirement was in subregulation 215 (8) of CAR.

- 5.5E For regulation 11.245 of CASR, each member of the operations personnel of the operator must comply with all instructions contained in the operations manual insofar as they relate to the member's duties or activities.

*Note* Before 2 December 2021, this requirement was in subregulation 215 (9) of CAR.

- 5.5F The direction in paragraph 5.5E ceases to be in force at the end of 1 December 2031.

- 5.6 Each operator must include in the operator's operations manual as much of the information set out in CASA's publication 'Guide to the preparation of Operations Manuals' as is relevant to the operator's operations and must provide copies of the manual to all flight crew and operational support crew employed by the operator.

## **6 Chief Pilot**

- 6.1 Each certificate is subject to the condition that the requirements set out in Appendix 2 are complied with.

## **7 Obligations in relation to AOC Holder's Safety Questionnaire**

- 7.1 CASA may in writing or by electronic means or by facsimile ask an AOC holder to complete an AOC Holder's Safety Questionnaire (*AHSQ*) by accurately answering all questions in the AHSQ.
- 7.2 Each AOC holder must:
- (a) comply with the request; and
  - (b) ensure that the AHSQ is completed and submitted not later than 28 days after being asked by CASA.
- 7.3 An AOC holder may before the end of the 28 day period apply in writing to CASA for an extension.
- 7.4 CASA may grant the extension subject to conditions.

## Appendix 1

Paragraph 5.4

### Facilities and documentation

#### 1 Facilities

- 1.1 Each operator must provide and maintain an operating headquarters through which CASA may communicate with the person or persons responsible for any aspect of the operations conducted under the terms of the operator's certificate.

#### 2 Documentation

- 2.1 Each operator must provide a reference library of operational documents which is readily available to all flight crew members and operational support crew and which includes:
  - (a) a copy of the Act, the *Civil Aviation Regulations 1988*, the *Civil Aviation Safety Regulations 1998* and those Parts of the Civil Aviation Orders and Manuals of Standards that apply to the operator's operations; and
  - (b) those parts of the Aeronautical Information Publications that are relevant to the operations conducted by the operator; and
  - (c) an operations manual.
- 2.2 Each operator who distributes operational documents to flight crew and operational support crew must maintain records of that distribution and must provide an amendment system for those documents.
- 2.3 Each operator must maintain up-to-date records showing the recent experience status of each flight crew member and the currency of licences, ratings and endorsements held by each member.
- 2.4 Each operator must maintain a training file in respect of each flight crew member, recording at least:
  - (a) each endorsement training course completed or attempted, including the results of each phase of training, the number of times each exercise was undertaken and the results of each test or check; and
  - (b) each flight proficiency check completed or attempted, including the results of each phase of training, the number of times each exercise was undertaken and the results of each test or check; and
  - (c) each period of training, other than training referred to in paragraph (a) or (b), undertaken in a balloon, including the exercises completed or attempted, and an assessment of the standard achieved.
- 2.5 Each operator must maintain the following documentation:
  - (a) copies of approved trip records for each balloon covering the immediately preceding 12 months of operations, where applicable;
  - (c) a catalogue of authorised areas for the launching of a balloon and areas where balloon operations are frequently conducted showing, in diagrammatic form, location by co-ordinates or in reference to prominent geographic features, elevation above sea level, hazards in the area, any restrictions or specific conditions relating to the use of particular areas, and the method of contacting the owner or controlling authority.

## Appendix 2

Subsection 6

### 1 Approval of Chief Pilot by CASA

- 1.1 A person must not be appointed as, or to act as, a Chief Pilot unless the person's appointment has been approved in writing by CASA after application in writing by the operator.
- 1.2 The application must include the following details in relation to the person:
  - (a) current licences, ratings and endorsements held;
  - (b) total flight time and total time as pilot in command;
  - (c) a comprehensive outline of flying history, including experience in aerial work, and charter, operations in balloons.
- 1.3 A person will not be approved as a Chief Pilot unless:
  - (a) in the opinion of CASA, he or she has maintained a satisfactory record in the conduct or management of flying operations; and
  - (b) before being approved as a Chief Pilot, the person has:
    - (i) been assessed, by CASA, as suitable to carry out the responsibilities of a Chief Pilot; and
    - (ii) passed an oral examination conducted by such an examiner covering the regulatory requirements for the safe conduct of aerial work operations and charter operations.
- 1.4 In addition to the requirements specified in clause 1.3, a person proposed for appointment as Chief Pilot may be required to fly with a person nominated by CASA to demonstrate his or her suitability for appointment.
- 1.5 CASA must give written notice of an approval, or refusal of an approval, for a person to be appointed as, or to act as, a Chief Pilot to the operator and to the person and must, where a proposed appointment is rejected, include in the notice the reasons for the rejection.
- 1.6 An approval may be given subject to conditions specified in the notice of approval.
- 1.7 An approval remains in force for such period (if any) as CASA specifies in the notice of approval.
- 1.8 If a period for which an approval is to remain in force is not specified in the notice of approval, the approval remains in force subject only to the approved person maintaining a satisfactory standard of performance.
- 1.9 An approval relates only to the operator specified in the notice of approval.

### 2 Cancellation or suspension of approval

- 2.1 In spite of clause 1.7, an approval may be cancelled or suspended at any time if, in the opinion of CASA, the performance of the Chief Pilot is no longer of a satisfactory standard.
- 2.2 Where CASA cancels or suspends a person's appointment as a Chief Pilot CASA must:
  - (a) notify the person and the operator in writing of the cancellation or suspension; and

- (b) provide the person and the operator with reasons for the cancellation or suspension.

### **3 Responsibilities of Chief Pilot**

- 3.1 The Chief Pilot is to have control of all flight crew training and operational matters affecting the safety of the flying operations of the operator.
- 3.2 The responsibilities of a Chief Pilot must, unless CASA otherwise specifies in writing, include the following responsibilities:
  - (a) ensuring that the operator's flying operations are conducted in compliance with the Act, the *Civil Aviation Regulations 1988*, the *Civil Aviation Safety Regulations 1998*, the Civil Aviation Orders and the Manuals of Standards;
  - (b) arranging flight crew rosters;
  - (ba) ensuring that all flight crew members are competent to fly the class and type of balloon that they are rostered to fly under the AOC, whether as pilot in command (PIC) or as pilot in command under supervision (PICUS);
  - (c) maintaining a record of licences, ratings and group endorsements, held by each flight crew member, including:
    - (i) validity; and
    - (ii) recency; and
    - (iii) applicable licence restrictions;
  - (d) ensuring that a flight crew member does not fly a balloon if he or she suffers from fatigue, illness or injury, the effects of which are likely to interfere with the safe exercise of the person's duties as a flight crew member of a balloon;
  - (e) ensuring compliance with loading procedures specified for each balloon used by the operator and proper compilation of loading documents, including passenger manifests;
  - (f) monitoring operational standards, maintaining training records and supervising the training and checking of flight crew;
  - (g) conducting proficiency tests in the execution of emergency procedures;
  - (h) maintaining a complete and up-to-date reference library of operational documents, as required by CASA for balloon flying operations;
  - (j) allocating balloons;
  - (k) ensuring that each flight crew member, before beginning a flight, has studied all available information appropriate to the intended flight.

### **4 Delegation by Chief Pilot**

- 4.1 A Chief Pilot, in exercising any responsibility, may delegate duties to other members of the operator's staff.

### **5 Qualifications of Chief Pilot**

- 5.1 Unless otherwise approved in writing by CASA, a Chief Pilot must hold a licence with the appropriate endorsements and ratings to permit the Chief Pilot to act as pilot in command of all operations authorised by the operator's certificate.

- 5.2 Subject to clause 6, a Chief Pilot must, unless CASA approves otherwise in writing, meet the requirements set out in subclause 5.4 and Table 5.2, Chief Pilot requirements.
- 5.3 In Table 5.2:  
*full-time*, for employment, means employed for at least 38 hours per week.  
*part-time*, for employment, means employed for at least 20 hours per week.
- 5.4 In Table 5.2, for the type and number of balloons mentioned in the same row of columns 1 and 2, the Chief Pilot must meet the minimum total flight time requirements, the aerial work and charter experience requirements and the other requirements mentioned in columns 3, 4 and 5, respectively, of the same row.
- 6 Transitional application of subclauses 5.2, 5.3 and 5.4**
- 6.1 A person who on or after the commencement of this clause (the *commencement*) is the subject of an application to CASA by an operator, for approval of the person as a Chief Pilot, must comply with the requirements in subclauses 5.2, 5.3 and 5.4 (the *transitional clauses*).
- 6.2 A person (a *grandfathered person*), who immediately before the commencement is a Chief Pilot, is deemed to have complied with the transitional clauses and, to that extent, to have been approved accordingly, until the later of:
- the expiry of the Chief Pilot approval; or
  - the day that is 3 months after the commencement.

**Table 5.2 Chief Pilot requirements**

Type of balloon	Number of balloons operated at the same time	Minimum total flight time requirements	Required experience in aerial work and charter	Other requirements
Class 1 balloon used for balloon AOC operations	1	250 hours as pilot in command ( <i>PIC</i> ) of a balloon	A minimum of 24 months' experience as a balloon pilot	The Chief Pilot: <ol style="list-style-type: none"> <li>must hold the balloon class endorsement for the balloon type used by the AOC holder; and</li> <li>must be employed by the AOC holder on at least a part-time basis; and</li> <li>must not be the Chief Pilot for another AOC holder.</li> </ol>

*Civil Aviation Order 82.7*

<b>Type of balloon</b>	<b>Number of balloons operated at the same time</b>	<b>Minimum total flight time requirements</b>	<b>Required experience in aerial work and charter</b>	<b>Other requirements</b>
Class 1 balloon used for balloon AOC operations	2 or 3	250 hours as PIC, including 100 hours as PIC in balloon AOC operations	A minimum of 12 months' experience as a balloon pilot for a balloon AOC holder	The Chief Pilot: <ul style="list-style-type: none"> <li>(a) must hold the balloon class endorsements for all of the balloon types used in the AOC holder's fleet; and</li> <li>(b) must be employed by the AOC holder on a full-time basis; and</li> <li>(c) must not be the Chief Pilot for another AOC holder.</li> </ul>
Class 1 balloons used for balloon AOC operations	4 or more	350 hours as PIC, including 300 hours as PIC in balloon AOC operations	A minimum of 24 months' experience as pilot for a balloon AOC holder	The Chief Pilot: <ul style="list-style-type: none"> <li>(a) must hold the balloon class endorsements for all of the balloon types used in the AOC holder's fleet; and</li> <li>(b) must be employed by the AOC holder on a full-time basis; and</li> <li>(c) must not be the Chief Pilot for another AOC holder.</li> </ul>



*Civil Aviation Order 82.7*

<b>Type of balloon</b>	<b>Number of balloons operated at the same time</b>	<b>Minimum total flight time requirements</b>	<b>Required experience in aerial work and charter</b>	<b>Other requirements</b>
Class 1 balloons and Class 2 balloons used for balloon AOC operations	1 or more Class 1 balloons and 1 or more Class 2 balloons	350 hours as PIC, including 300 hours as PIC in balloon AOC operations	A minimum of 24 months' experience as pilot for a balloon AOC holder	The Chief Pilot: <ul style="list-style-type: none"> <li>(a) must hold the balloon class endorsements for all of the balloon types used in the AOC holder's fleet; and</li> <li>(b) must be employed by the AOC holder on a full-time basis; and</li> <li>(c) must not be the Chief Pilot for another AOC holder.</li> </ul>
Class 2 balloons used for balloon AOC operations	1 or more	350 hours as PIC, including 300 hours as PIC in balloon AOC operations	A minimum of 24 months' experience as pilot for a balloon AOC holder	The Chief Pilot: <ul style="list-style-type: none"> <li>(a) must hold the balloon class endorsements for all of the balloon types used in the AOC holder's fleet; and</li> <li>(b) must be employed by the AOC holder on a full-time basis; and</li> <li>(c) must not be the Chief Pilot for another AOC holder.</li> </ul>

## Notes to Civil Aviation Order 82.7

### Note 1

The Civil Aviation Order (in force under the *Civil Aviation Act 1988*) as shown in this compilation comprises Civil Aviation Order 82.7 amended as indicated in the Tables below.

#### Table of Orders

Year and number	Date of notification in <i>Gazette</i> / registration on FRLI	Date of commencement	Application, saving or transitional provisions
CAO 2004 No. R56	23 December 2004	23 December 2004 (see s. 2)	
CAO 82.7 2007 No. 1	FRLI 30 October 2007	31 October 2007 (see s. 2)	
CAO 82.7 2019 No. 1	FRL 14 August 2019 (F2019L01063)	1 September 2019 (see s. 2)	
Civil Aviation Order (Flight Operations) Repeal and Amendment Instrument 2021 (No. 1)	FRL 1 December 2021 (F2021L01680)	2 December 2021 (see s. 2)	

#### Table of Amendments

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
s. 82.0	rs. 2004 No. R56
CAO title	am. F2021L01680
subs. 1	am. F2021L01680
subs. 2	am. F2021L01680
subs. 5	am. F2021L01680
subs. 7	ad. CAO 82.7 2007 No. 1
Appendix 1	am. F2021L01680
Appendix 2	am. CAO 82.7 2019 No. 1, F2021L01680