



## **PART 115**

CAA Consolidation

### **Adventure Aviation, Initial Issue - Certification and Operations**

## **DESCRIPTION**

This Part prescribes the requirements for the certification and operation of a person conducting an adventure aviation operation.

The objective of Part 115 is to introduce a new rule Part for the purpose of regulating the adventure aviation industry. Part 115 requires adventure aviation operators to be certificated in much the same way as air transport operators who use helicopters and small aeroplanes and are required to be certificated under Part 119/135. In particular, operators need to satisfy the Director, through their exposition, that:

- they have appropriate management systems, structures, and operating procedures in place to ensure compliance with the relevant safety standards;
- employees are appropriately qualified, and trained;
- equipment is appropriate to the task and properly maintained; and key people are fit and proper to undertake their responsibilities.

**This document is the current consolidated version of Part 115 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Road and Transport. Copies of the official rule and amendments as signed by Minister may be obtained from the Civil Aviation Authority or may be downloaded from the official web site at: [www.mcaa.gov.mn](http://www.mcaa.gov.mn)**

**Bulletin**

ICAO 29<sup>th</sup> Assembly Resolution A29-3 of year 1992 urges States to promote global harmonization of national rules.

In order to implement this Resolution, Mongolian Civil Aviation Regulation has been developed based on “Memorandum for Technical Cooperation” between CAA of Mongolia and New Zealand, signed on 6<sup>th</sup> of May, 1999.

| <b>Amendment history</b> | <b>Effective Date</b> |
|--------------------------|-----------------------|
| Original issue           | 05 June 2003          |
| Amendment 1              | 07 May 2010           |
| Amendment 2 (Re-issue)   | 01 ... 2019           |

**Note:** This Part 115 re-issue has been released in Mongolian and English languages, based on NZCAR Part 115 Amend.6 of 18 May 2018.

## List of Rules

|  |           |
|--|-----------|
| <b>Subpart A - General</b> .....   | <b>1</b>  |
| 115.1. Purpose .....   | 1         |
| 115.3. Definitions and abbreviations .....   | 1         |
| 115.5. Requirement for certificate .....   | 1         |
| 115.7. Application for certificate .....   | 1         |
| 115.9. Issue of certificate.....   | 1         |
| 115.11. Privileges of certificate holder.....  | 2         |
| 115.13. Operations Specifications .....  | 2         |
| 115.15. Duration of certificate.....   | 3         |
| 115.17. Notification of termination of operations .....  | 3         |
| 115.19. Re-issue of certificate .....  | 3         |
| <b>Subpart B - Adventure Aviation Operator Certification Requirements</b> .....  | <b>4</b>  |
| 115.51. Personnel requirements .....   | 4         |
| 115.53. Personnel competency requirements .....  | 4         |
| 115.55. Resource requirements .....  | 5         |
| 115.57. Proving flights or tests .....   | 5         |
| 115.59. Maintenance procedures .....   | 5         |
| 115.61. Maintenance program.....   | 6         |
| 115.62. Drug and alcohol program .....   | 7         |
| 115.63. Documentation .....  | 7         |
| 115.65. Records-personnel .....  | 7         |
| 115.67. Records-resources .....  | 8         |
| 115.69. Flight authorisation and control .....   | 8         |
| 115.71. Flight following service .....   | 8         |
| 115.73. Establishment of procedures .....  | 9         |
| 115.75. Reporting of accidents and incidents.....  | 9         |
| 115.77. Safety management .....  | 9         |
| 115.79. Adventure aviation operator exposition .....   | 9         |
| <b>Subpart C - Operating Limitations and Requirements</b> .....  | <b>11</b> |
| 115.101. Continued compliance .....  | 11        |
| 115.103. Flight crew member qualifications .....   | 11        |
| 115.105. Business or trading name.....   | 12        |
| 115.107. Limitations of adventure aviation operator certificate holder.....  | 12        |
| 115.109. Changes to certificate holder's organisation .....  | 12        |
| 115.111. Changes to the maintenance program .....  | 13        |
| 115.151. Transition for adventure aviation operator certificate holders and<br>applicants .....                                    | 13        |
| 115.153. Transitional organisational management system for adventure aviation<br>operator certificate holders and applicants ..... | 14        |
| <b>Subpart D - Flight Operations</b> .....   | <b>15</b> |
| 115.201. Restriction or suspension of operations.....  | 15        |
| 115.203. Passenger safety.....   | 16        |
| 115.205. Passenger training and briefing.....  | 16        |

|   |  |           |
|---|--|-----------|
| 115.207.  | Emergency equipment requirements.....                                    | 16        |
| 115.209.  | Emergency situation action plans.....                                    | 17        |
| 115.211.  | Operational safety check.....  | 17        |
| 115.213.  | Flight preparation and flight planning.....                              | 18        |
| 115.215.  | Manipulation of controls.....  | 18        |
| 115.217.  | Flights over water.....  | 19        |
| 115.219.  | Use of aerodromes, landing areas and launch sites.....                   | 19        |
| 115.221.  | Meteorological conditions.....   | 20        |
| 115.223.  | Aircraft load limitations.....   | 20        |
| 115.225.  | Responsibility for airworthiness.....                                    | 21        |
| 115.227.  | Fuel.....  | 21        |
| 115.229.  | Carriage of dangerous goods.....   | 21        |
| 115.231.  | Impairment of personnel affecting flight safety.....                     | 22        |
| <b>Subpart E - Training</b>   | <b>.....</b>   | <b>22</b> |
| 115.301.  | Training - General.....  | 22        |
| 115.303.  | Flight crew and ground crew member training program.....                 | 22        |
| 115.305.  | Initial training for crew members and ground crew members.....           | 23        |
| 115.307.  | Transition training for crew members and ground crew members.....        | 23        |
| 115.309.  | Recurrent training for crew members and ground crew member.....          | 24        |
| 115.311.  | Flight crew member instructor qualifications.....                        | 24        |
| 115.313.  | Training records.....  | 25        |
| <b>Subpart F - Crew Member and Ground Crew Member Competency Requirements</b> | <b>.....</b>   | <b>25</b> |
| 115.351.  | Operational competency assessment program.....                           | 25        |
| 115.353.  | Flight crew member competency checks.....                                | 25        |
| 115.355.  | Crew member and ground crew member competency checks.....                | 27        |
| 115.357.  | Flight examiner qualifications.....                                      | 27        |
| 115.359.  | Completion of crew member test or flight check before required date..... | 28        |
| 115.361.  | Competency and testing records.....                                      | 28        |
| <b>Subpart G - Fatigue of Flight Crew</b>                                     | <b>.....</b>   | <b>28</b> |
| 115.401.  | Operator responsibilities - flight and duty time scheme.....             | 28        |
| 115.403.  | Flight crew member responsibilities - flight and duty time.....          | 29        |
| <b>Subpart H - Manuals, Logs, and Records</b>                                 | <b>.....</b>   | <b>29</b> |
| 115.451.  | Operating information.....   | 29        |
| 115.453.  | Documents to be carried.....   | 29        |
| 115.455.  | Daily flight record.....   | 30        |
| 115.457.  | Retention period.....  | 30        |
| <b>Subpart I - Hot Air Balloon Operations</b>                                 | <b>.....</b>   | <b>31</b> |
| 115.501.  | Airworthiness - hot air balloon.....                                     | 31        |
| 115.503.  | Instruments and equipment - hot air balloon.....                         | 31        |
| 115.505.  | Maintenance - hot air balloon.....                                       | 31        |

|  |           |
|--|-----------|
| 115.507. Pilot qualification and experience requirements - hot air balloon.....    | 31        |
| <b>Subpart J - Parachute-Drop Aircraft Operations .....</b>                        | <b>32</b> |
| 115.551. Airworthiness - parachute-drop aircraft.....                              | 32        |
| 115.553. Instruments and equipment - parachute-drop aircraft.....                  | 32        |
| 115.555. Maintenance - parachute-drop aircraft.....                                | 32        |
| 115.557. Operating procedures - parachute-drop aircraft .....                      | 32        |
| 115.559. Pilot qualification and experience requirements - parachute-drop aircraft | 33        |
| <b>Subpart K - Tandem Parachute Operations .....</b>                               | <b>33</b> |
| 115.571. Airworthiness and equipment - tandem parachutes .....                     | 33        |
| 115.573. Maintenance - tandem parachutes .....                                     | 33        |
| 115.575. Operating procedures - tandem parachutes .....                            | 34        |
| 115.577. Tandem-master qualification requirements .....                            | 34        |
| <b>Subpart L - Glider Operations .....</b>   | <b>35</b> |
| 115.601. Airworthiness - glider .....  | 35        |
| 115.603. Instruments and equipment - glider .....                                  | 35        |
| 115.605. Maintenance - glider .....  | 35        |
| 115.607. Pilot qualification and experience requirements - glider .....            | 35        |
| 115.609. Towing a glider in flight.....  | 36        |
| 115.611. Operating limitations - glider.....                                       | 36        |
| <b>Subpart M - Hang Glider and Paraglider Operations.....</b>                      | <b>37</b> |
| 115.651. Airworthiness - hang glider and paraglider .....                          | 37        |
| 115.653. Instrument and equipment - hang glider and paraglider .....               | 37        |
| 115.655. Maintenance - hang glider and paraglider .....                            | 37        |
| 115.657. Aircraft identification - hang glider and paraglider .....                | 38        |
| 115.659. Pilot qualification requirements - hang glider and paraglider .....       | 38        |
| 115.661. Operator requirements - hang glider and paraglider.....                   | 38        |
| 115.663. Passenger safety requirements - hang glider and paraglider .....          | 38        |
| 115.665. Towing a hang glider in flight.....                                       | 39        |
| <b>Subpart N - Reserved .....</b>  | <b>39</b> |
| <b>Subpart O - Special Category Aircraft Operations .....</b>                      | <b>39</b> |
| 115.751. Aircraft airworthiness .....  | 39        |
| 115.753. Instruments and equipment.....  | 40        |
| 115.755. Aircraft maintenance.....   | 40        |
| 115.757. Pilot qualifications and experience requirements .....                    | 40        |
| <b>Subpart P - Microlight Aircraft Operations.....</b>                             | <b>41</b> |
| 115.801. Airworthiness - microlight aircraft.....                                  | 41        |
| 115.803. Instruments and equipment - microlight aircraft.....                      | 41        |
| 115.805. Maintenance - microlight aircraft .....                                   | 41        |

|  |           |
|--|-----------|
| 115.807. Technical log .....   | 41        |
| 115.809 Pilot qualification and experience requirements - microlight aircraft..... | 42        |
| 115.811. Minimum heights - microlight aircraft.....                                | 42        |
| <b>Appendix A - Qualifications and competencies of senior persons.....</b>         | <b>43</b> |

## **Part 115 Adventure Aviation, Initial Issue - Certification and Operations**

### **Subpart A - General**

#### **115.1. Purpose**

This Part prescribes the requirements for the certification and operation of a person conducting an adventure aviation operation.

#### **115.3. Definitions and abbreviations**

Definitions and abbreviations relating to this Part are contained in CAR interpretation summary.

#### **115.5. Requirement for certificate**

A person must not perform an adventure aviation operation except under the authority of, and in accordance with the privileges of, an adventure aviation operator certificate that has been issued by the Director under this Part.

#### **115.7. Application for certificate**

An applicant for the grant of an adventure aviation operator certificate must complete form CAA 24115/01 and submit it to the Director with-

- (1) the applicant's exposition required by rule 115.79; and
- (2) the details for the operations specifications specified in rule 115.13(b).

#### **115.9. Issue of certificate**

An adventure aviation operator certificate may be issued by the Director under this Part if the Director is satisfied that-

- (1) the applicant meets the applicable requirements of Subpart B; and
- (2) the applicant and the applicant's senior persons required by rules 115.51(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.



### 115.11. Privileges of certificate holder

- (a) An adventure aviation operator certificate and the accompanying operations specifications specify the types of adventure aviation operations that the certificate holder is authorised to perform.
- (b) An adventure aviation operator certificate and the accompanying operations specifications may authorise the certificate holder to-
- (1) conduct any of the following adventure aviation operations:
    - (i) an A to A flight in an aeroplane or helicopter issued with a *standard category* airworthiness certificate conducting formation flight, aerobatic manoeuvres, and similar non- standard flight manoeuvres such as steep climbs, steep descents, and steep turns:
    - (ii) an A to A flight (including an interim water landing for amphibious aircraft) in an aircraft issued with a *special category-primary*, *special category-LSA*, or *special category-limited* airworthiness certificate including formation flight, aerobatic manoeuvres, and similar non-standard flight manoeuvres such as steep climbs, steep descents, and steep turns:
    - (iii) an A to A flight in a Class 2 microlight aircraft:
    - (iv) a flight in a hot air balloon:
    - (v) a flight in a glider:
    - (vi) a parachute-drop aircraft operation:
    - (vii) a tandem parachute operation:
    - (viii) a tandem hang glider or paraglider flight; and
  - (2) conduct ground and flight training under the training program required by rule 115.301; and
  - (3) conduct tests or check flights under the operational competency assessment program required by rule 115.351; and
  - (4) conduct tests or checks to determine the competence of other persons providing the services or carrying out the operations listed in the certificate holder's exposition.

### 115.13. Operations Specifications

- (a) An adventure aviation operator certificate issued by the Director under this Part is to be accompanied by operations specifications that meet the requirements specified in paragraph (b).
- (b) The operations specifications must include the following-
- (1) details to identify the physical location of the certificate holder's principal base of operations:
  - (2) except for hot air balloon, hang glider and paraglider operations, details to identify each location that the certificate holder is authorised to use for the purpose of conducting the adventure aviation operations referred to in paragraph (5):
  - (3) the certificate holder's address for service in Mongolia:

- (4) a list of any business names under which the certificate holder may operate:
- (5) a list of the types of adventure aviation operations that the certificate holder is authorised to conduct:
- (6) a list of the type, serial number, identification, and registration if applicable, of each aircraft that the certificate holder is authorised to use for the adventure aviation operations referred to in paragraph (5):
- (7) except for hot air balloon, hang glider and paraglider operations, a list of the routes and areas of operations that the certificate holder is authorised to use for the adventure aviation operations referred to in paragraph (5), including any limitations or maximum operating distances from a point of departure for an adventure aviation operation:
- (8) a list of any exemptions granted to the certificate holder from a requirement prescribed in this Part or any other applicable Part:
- (9) details of any safety limitation or requirement that is applicable to an adventure aviation operation referred to in paragraph (5):
- (10) details of any other condition that the Director determines is necessary to cover a particular situation.

#### **115.15. Duration of certificate**

An adventure aviation operator certificate may be granted or renewed for a period of up to 5 years.

#### **115.17. Notification of termination of operations**

A holder of an adventure aviation operator certificate that terminates adventure aviation operations must notify the Director of the termination in writing within 30 days of the date of termination.

#### **115.19. Re-issue of certificate**

- (a) An application for the renewal of an adventure aviation operator certificate must be made on form CAA 24115/01.
- (b) The application must be submitted to the Director before the application renewal date specified on the certificate or if no such date is specified, not less than 30 days before the certificate expires.

## Subpart B - Adventure Aviation Operator Certification Requirements

### 115.51. Personnel requirements

(a) An applicant for the grant of an adventure aviation operator certificate must employ or contract-

- (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 member training and competency assessment:
  - (iii) the control and scheduling of maintenance:
  - (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.

### 115.53. Personnel competency requirements

(a) An applicant for the grant of an adventure aviation operator certificate must establish procedures for the planning, performance, supervision, inspection and certification of adventure aviation operations listed in the applicant's exposition, including-

- (1) initial assessment and maintenance of the competence of the personnel authorised by the applicant to plan, perform, supervise, inspect, or certify the adventure aviation operations listed in the applicant's exposition; and

(2) providing written authorisation to the personnel referred to in paragraph (1), which includes the scope of the authorisation.

(b) An applicant may contract with an aviation training organisation certificated under Part 141, or an appropriate aviation recreation organisation certificated under Part 149, that is appropriately authorised under that certificate to perform the functions of checking to assess, or training to maintain, the competence of the applicant's personnel under paragraph (a)(1).

(c) An applicant that contracts with an organisation under paragraph (b) must include in its exposition details of-

- (1) the functions to be contracted to the organisation; and
- (2) the scope of the checking or training to be carried out by the organisation; and
- (3) the authority of the organisation in respect of the checking and training functions to be carried out.

#### **115.55. Resource requirements**

(a) An applicant for the grant of an adventure aviation operator certificate must provide resources, acceptable to the Director-

- (1) for conducting the adventure aviation operations listed in the applicant's exposition; and
- (2) that must, where appropriate, include-
  - (i) office accommodation, workshops, hangars, and buildings; and
  - (ii) equipment, tools, material, training aids, data, and documentation necessary to conduct the operations listed in the applicant's exposition.

(b) The applicant must ensure that the environment it provides-

- (1) is appropriate for the tasks to be performed; and
- (2) where appropriate, offers protection from weather elements.

#### **115.57. Proving flights or tests**

(a) An applicant for the grant of an adventure aviation operator certificate must, if required by the Director, perform proving flights or tests to satisfy the Director that the applicant can meet the relevant requirements prescribed in this Part or any other applicable Part.

(b) The flights or tests must be performed in a manner acceptable to the Director.

#### **115.59. Maintenance procedures**

(a) An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring the continued airworthiness of-

- (1) every aircraft that is operated under the authority of the certificate; and
- (2) any equipment installed in or attached to the aircraft.

(b) An applicant for the grant of an adventure aviation operator certificate that contracts with another person to perform maintenance on the applicant's aircraft or equipment must include in the exposition required by rule 115.79 details of-

- (1) the functions to be transferred to the other person; and
- (2) the scope of the maintenance to be carried out by the other person; and
- (3) the authority of the other person in respect of the functions and maintenance to be carried out.

#### **115.61. Maintenance program**

(a) An applicant for the grant of an adventure aviation operator certificate must establish a maintenance program for every aircraft, including a parachute assembly, that is operated under the authority of the certificate.

(b) The maintenance program required by paragraph (a) must include-

- (1) the type, serial number, identification, and registration mark if applicable, of each aircraft that is subject to the program; and
- (2) instructions and procedures for the performance of maintenance on the aircraft including any required inspection and test of the aircraft and its components, together with details of the parts and areas that-
  - (i) must be inspected; and
  - (ii) could result in a failure, malfunction, or defect endangering the safe operation of the aircraft if maintenance is not performed properly or if an improper part or material is used; and
- (3) a schedule for the performance of the maintenance under paragraph (b)(2) expressed in terms of the time in service, cycles, calendar time, number of system operations, or any combination of these; and
- (4) procedures for inducting an aircraft onto the maintenance program; and
- (5) procedures for ensuring that every inspection required by the program is performed; and
- (6) procedures for recording defects, including examples of records; and
- (7) procedures for the correction or deferral of defects found during maintenance; and
- (8) procedures for the retention of-
  - (i) the maintenance records under rule 91.623; or
  - (ii) for a parachute assembly, a hang glider, or a paraglider-
    - (A) a description of the work performed, or a reference to data acceptable to the Director; and
    - (B) the name of the person certifying the release-to-service for the work if the work is to be performed by a person outside the applicant's maintenance organisation.

(c) The instructions and procedures required by paragraph (b)(2) must be equivalent to-

- (1) the applicable requirements prescribed in Subpart G of Part 91; and
- (2) the applicable requirements prescribed in this Part; and
- (3) the manufacturer's maintenance schedule.

#### **115.62. Drug and alcohol program**

An applicant for an adventure aviation operator certificate must establish a drug and alcohol program for monitoring and managing the risks relating to the use of any drug, or consumption of alcohol by-

- (1) any crew member:
- (2) a tandem master:
- (3) a ground crew member:
- (4) any other person whose work directly affects the safety of an adventure aviation operation.

#### **115.63. Documentation**

(a) An applicant for the grant of an adventure aviation operator certificate must establish procedures for controlling, amending, and distributing the documentation required by any applicable Part, including but not limited to Parts 91 and 115.

(b) The procedure referred to in paragraph (a) must require that-

- (1) all documentation is reviewed and authorised by the appropriate senior person before issue; and
- (2) current issues of all relevant documents are available to personnel at each location where they need access to such documentation, in either hard copy, electronic, or other form acceptable to the Director; and
- (3) all obsolete documentation is promptly removed from all points of issue or use; and
- (4) changes to documentation are reviewed and approved by the appropriate senior person; and
- (5) the current version of each item of documentation can be identified to prevent the use of superseded material.

#### **115.65. Records-personnel**

An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring that-

- (1) an accurate record is maintained of-
  - (i) each employee who, in the performance of his or her duties, is required to be the holder of a licence, rating or certificate; and
  - (ii) each employee who is exercising any delegation of the Director's functions or powers; and
  - (iii) each employee who is exercising any authorisation granted by the certificate holder; and

- (2) the record includes details of-
  - (i) the relevant experience, qualifications, and training of each employee referred to in paragraph (1); and
  - (ii) the scope, validity, and currency of any licence, rating, or certificate referred to in paragraph (1)(i); and
  - (iii) the delegations referred to in paragraph (1)(ii); and
  - (iv) the authorisations referred to in paragraph (1)(iii); and
- (3) the record is retained for 6 years from the date that the employee-
  - (i) ceases to perform duties requiring a licence, rating, or certificate; or
  - (ii) ceases to exercise any delegation or authorisation.

#### **115.67. Records-resources**

An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring that details are accurately recorded of any required testing, checking, and calibration of resources used in carrying out the operations specified on the certificate.

#### **115.69. Flight authorisation and control**

An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring that the adventure aviation operations conducted by the certificate holder are authorised by the person referred to in rule 115.51(b)(1)(i).

#### **115.71. Flight following service**

(a) An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring that a flight following service is provided for each adventure aviation operation that is conducted under the authority of the certificate.

(b) The procedures required by paragraph (a) must require that for each adventure aviation operation the person providing the flight following service-

- (1) has the following information:
  - (i) the aircraft registration or identification markings; and
  - (ii) the type of aircraft; and
  - (iii) the departure aerodrome or the location of the departure area and the intended landing area; and
  - (iv) the fuel endurance, if applicable; and
  - (v) the total number of persons carried; and
  - (vi) the name and contact details of the adventure aviation operator; and
  - (vii) the details of the emergency and survival equipment carried on the operation available for immediate communication to SAR co-ordination centres; and

- (2) has a pre-arranged time for the completion of the adventure aviation operation; and
- (3) has a time for re-establishing communications with the pilot-in-command if the flight is intended to operate in an area where communications cannot be maintained; and
- (4) has details of any other arrangements that may be appropriate for the safety of the operation for the pilot-in-command to report to the flight following service; and
- (5) makes timely notification to-
  - (i) the SAR co-ordination centre; or
  - (ii) an organisation capable of taking emergency activation action that is acceptable to the Director-if the pilot-in-command fails to establish communications within the pre-arranged times under paragraphs (2), (3), or (4).

#### **115.73. Establishment of procedures**

- (a) An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring compliance with the applicable requirements prescribed in this Part and any other applicable Part.
- (b) The procedures required by paragraph (a) must-
  - (1) be applicable to the type of operation to be conducted; and
  - (2) contain sufficient detail to show the means for complying with the particular requirement; and
  - (3) contain sufficient detail to show how the safety risks associated with the intended operation will be managed; and
  - (4) be acceptable to the Director.

#### **115.75. Reporting of accidents and incidents**

An applicant for the grant of an adventure aviation operator certificate must establish procedures necessary for the notification, investigation, and reporting of all occurrences under Part 12.

#### **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.

#### **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) 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 program 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 program 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 member training program required by Subpart E; and
  - (v) the crew member and ground crew member competency assessment program required by Subpart F; and
- (10) details of the programs 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**

### **115.101. Continued compliance**

- (a) A holder of an adventure aviation operator certificate must comply with the operations specifications required by rule 115.13.
- (b) A holder of an adventure aviation operator certificate must-
- (1) continue to meet the applicable standards and comply with the requirements of Subpart B; and
  - (2) comply with every procedure and program detailed in the certificate holder's exposition; and
  - (3) hold at each location specified in the certificate holder's exposition-
    - (i) at least 1 current copy of the certificate holder's operations specifications; and
    - (ii) in hard copy, electronic, or other form acceptable to the Director and available to all of the certificate holder's staff, at least 1 current copy of the relevant sections of the certificate holder's exposition applicable to the operations at the location.

### **115.103. Flight crew member qualifications**

- (a) A holder of an adventure aviation operator certificate must not authorise any person to act as a flight crew member, and a person must not serve as a flight crew member, on an adventure aviation operation, unless the person holds the appropriate pilot licence, pilot certificate and rating, issued by the Director under Part 61 or the procedures of an appropriate aviation recreation organisation that is certificated under Part 149 to issue the pilot certificate or rating.
- (b) A holder of an adventure aviation operator certificate must not authorise any person to act as a tandem master, and a person must not serve as a tandem master, on an adventure aviation operation, unless the person holds the appropriate tandem master certificate issued by the Director in accordance with the procedures of an appropriate aviation recreation organisation that is certificated under Part 149 to issue the tandem master certificate.

**115.105. Business or trading name**

(a) A holder of an adventure aviation operator certificate must conduct its adventure aviation operations using the trading or business name that appears on the certificate holder's certificate.

(b) A person must not perform an adventure aviation operation unless the trading or business name of the certificate holder conducting the adventure aviation operation is displayed in such a manner that it is clearly identifiable, visible, and legible to any intending passenger before the passenger boards the aircraft or participates in the adventure aviation operation.

(c) A holder of an adventure aviation operator certificate must ensure that any advertisement that is associated with the certificate holder's adventure aviation operations includes a clear reference to the business or trading name that appears on the certificate holder's adventure aviation operator certificate.

**115.107. Limitations of adventure aviation operator certificate holder**

A holder of an adventure aviation operator certificate must not conduct an air transport operation or a special operation under the authority of an adventure aviation operator certificate.

**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:
- (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 program 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.

#### **115.111. Changes to the maintenance program**

A holder of an adventure aviation operator certificate must, upon the Director's request, amend the maintenance program required by rule 115.61 if the Director considers that an amendment is necessary to satisfy the continuing airworthiness requirements of the program.

#### **115.151. Transition for adventure aviation operator certificate holders and applicants**

(a) This rule applies to each-

- (1) holder of an adventure aviation operator certificate:
- (2) applicant for the grant of an adventure aviation operator certificate.

(b) Before the date for implementation set in accordance with subparagraph (e)(2), an organisation to which this rule applies is not required to comply with-

- (1) 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:
- (2) 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:
- (3) rule 115.79(a)(1A)(i):
- (4) rule 115.79(a)(3)(ii):
- (5) rule 115.79(a)(5A).

(c) A holder of an adventure aviation operator certificate and an applicant for the grant of an adventure aviation operator certificate must submit a completed CAA form and implementation plan to the Director by 1 April 2020.

- (d) The implementation plan referred to in paragraph (c) must-
  - (1) include a proposed date for implementation of the system for safety management; and
  - (2) outline how the organisation plans to implement the system for safety management required under rule 115.77.
- (e) 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.
- (f) In setting the date under subparagraph (e)(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.
- (g) A holder of an adventure aviation operator certificate does not have to submit an implementation plan with its certificate renewal application.
- (h) 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 programs 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.

## **Subpart D - Flight Operations**

### **115.201. Restriction or suspension of operations**

- (a) A holder of an adventure aviation operator certificate must ensure that an adventure aviation operation conducted under the authority of the holder's certificate is-
  - (1) conducted under day VFR; and
  - (2) conducted within the approved radius from the point of departure as specified in the certificate holder's operations specifications; and
  - (3) for a tandem parachute operation, is conducted from the launch site(s) and landing area(s) authorised in the certificate holder's operations specifications, unless the tandem master, determines that in the immediate interest of safety, it is safer to conduct the landing at a location other than the location authorised in the operations specifications.

(b) A holder of an adventure aviation operator certificate must not conduct an adventure aviation operation over a congested area of a city, town, or settlement, or over an open-air assembly of persons, unless the certificate holder's operations specifications authorise the specific type of adventure aviation operation to be conducted over a specified area of a city town, or settlement, or open-air assembly of persons.

(c) A holder of an adventure aviation operator certificate must, on becoming aware of any condition that is a hazard to safe operations, restrict or suspend operations as necessary until the hazard is removed.

### **115.203. Passenger safety**

A person performing an adventure aviation operation must ensure that-

- (1) a passenger is not carried on an adventure aviation operation if the passenger appears to be under the influence of alcohol or drugs, or exhibits behavioural characteristics that may endanger the safety of the operation or it's participants; and
- (2) a disabled passenger is appropriately cared for, including allocation of seating and appropriate handling assistance if an emergency occurs.

### **115.205. Passenger training and briefing**

In addition to the applicable requirements of rule 91.211, a holder of an adventure aviation operator certificate must ensure that, before conducting an adventure aviation operation, each passenger receives appropriate briefing or training in the safety and emergency procedures under the procedures required by rule 115.79(a)(9)(ii).

### **115.207. Emergency equipment requirements**

A holder of an adventure aviation operator certificate must ensure that-

- (1) each aircraft other than a hang glider, paraglider, or tandem parachute, is equipped with-
  - (i) a first aid kit that meets the requirements of Appendix A.12 of Part 91 and is readily accessible to the occupants of the aircraft; and
  - (ii) except for a glider, a fire extinguisher that meets the requirements of Appendix A.13 of Part 91; and
  - (iii) except for a hot air balloon, or a glider, an axe that is readily accessible to the crew.
- (2) for a hang glider, paraglider or tandem parachute descent operation, the pilot-in-command, or tandem master has reasonable access to a first aid kit that is suitable for treatment of minor injuries.

**115.209. Emergency situation action plans**

- (a) A holder of an adventure aviation operator certificate must establish emergency situation action plans for handling in-air and on-ground emergency situations.
- (b) The emergency situation action plans required by paragraph (a) must be based upon data and information relating to but not restricted to-
- (1) the type and length of the adventure aviation operation including the types of routes or areas over which operations are carried out; and
  - (2) aerodrome, launch site, and landing area ground facilities; and
  - (3) local emergency services; and
  - (4) ATC facilities; and
  - (5) the type of the aircraft likely to be involved; and
  - (6) the seating configuration of the aircraft involved and the number of passengers to be carried.
- (c) The emergency situation action plan required by paragraph (a) for an in-air emergency must include the following-
- (1) procedures to be followed by management personnel to ensure that, if the management personnel become aware of an emergency situation arising on an aircraft during flight that requires an immediate decision and action,-
    - (i) the pilot-in-command is advised of the emergency; and
    - (ii) the decision of the pilot-in-command is ascertained; and
    - (iii) the decision is recorded; and
  - (2) procedures to be followed by management personnel to ensure that, if management personnel are unable to communicate with the pilot-in-command under paragraph (c)(1),-
    - (i) an emergency is declared; and
    - (ii) any action considered necessary under the circumstances is taken.
- (d) The emergency situation action plan required by paragraph (a) must include a means for ensuring that appropriate operations personnel are trained and competent to perform their duties during an emergency in accordance with the emergency situation action plan.

**115.211. Operational safety check**

- (a) A holder of an adventure aviation operator certificate must, for each adventure aviation operation, ensure that every flight crew member including a tandem master has available for use an operational safety checklist covering the procedures, including emergency procedures, applicable to the operation.



(b) The operational safety checklist required by paragraph (a) must include applicable information from the aircraft flight manual or manufacturer's operating instructions to ensure the safety of the operation.

(c) A person performing an adventure aviation operation must perform an operational safety check of the aircraft and all associated equipment in accordance with the operational safety checklist required by paragraph (a) before each flight.

### **115.213. Flight preparation and flight planning**

A holder of an adventure aviation operator certificate must ensure that for each adventure aviation operation conducted under the authority of the certificate, appropriate information is available to the pilot-in-command to meet the requirements of rule 91.217 and to complete the preparation for the intended operation.

### **115.215. Manipulation of controls**

(a) A holder of an adventure aviation operator certificate must not conduct an operation under the authority of the certificate that allows a passenger to manipulate the flight controls of the aircraft unless-

- (1) the purpose of the flight is to provide the passenger with a flight experience that requires the passenger to manipulate the flight controls; and
- (2) no other passenger is carried on the flight; and
- (3) the certificate holder's exposition includes procedures for risk management regarding passenger manipulation of controls; and
- (4) the passenger who is to manipulate the flight controls-
  - (i) has been provided with the ground instruction under the procedures required by paragraph (b)(1); and
  - (ii) has been assessed as competent to participate in the operation under the procedures required by paragraph (b)(2).

(b) The holder of an adventure aviation operator certificate referred to in paragraph (a) must establish procedures for:

- (1) providing the passenger with applicable ground instruction including-
  - (i) the applicable flight manoeuvres; and
  - (ii) the functions the passenger will be permitted to perform during the flight; and
  - (iii) the applicable aircraft operating procedures; and
  - (iv) emergency procedures; and
- (2) assessing the passenger's competency to participate in the operation.

**115.217. Flights over water**

- (a) Except for an amphibious aircraft operation as referenced in paragraph (c), a person performing an adventure aviation operation must not operate an aircraft over water if the flight distance to shore is more than the gliding distance for the aircraft.
- (b) A person performing an adventure aviation operation in a hot air balloon-
- (1) must not plan to operate the balloon over any lake or sea; and
  - (2) if the flight path of the balloon will or might possibly cross the shore of any lake or sea, or if the wind is offshore or less than 5 knots onshore at the time of take-off from a site located within 1 nm of water measured at the ordinary high water mark, must equip the balloon with a life preserver for each person on board.
- (c) A person performing an adventure aviation operation in an amphibious aircraft must not take-off from, or land on, water unless-
- (1) the aircraft is equipped with life rafts of sufficient rated capacity to carry every occupant of the aircraft; and
  - (2) a life preserver is worn by each passenger, or a life preserver for each passenger is available for use in a position that is accessible to each passenger.

**115.219. Use of aerodromes, landing areas and launch sites**

- (a) A holder of an adventure aviation operator certificate must not conduct an adventure aviation operation under the authority of the certificate unless the aerodrome, landing area or launch site used for the operation has physical characteristics, obstacle limitation surfaces, and visual aids that meet the requirements of the characteristics of the aircraft being used for the operation.
- (b) A holder of an adventure aviation operator certificate must ensure that any heliport used in its adventure aviation operations meets the applicable requirements of rule 91.127.
- (c) Except for a person performing an adventure aviation operation in a hot air balloon, if an aircraft operated under the authority of an adventure aviation operator certificate is operated from an aerodrome, landing area, or launch site that is not promulgated in the AIP Mongolia, the holder of the adventure aviation operator certificate must maintain a register containing-
- (1) the aerodrome, landing area, or launch site data; and

- (2) procedures for ensuring that the condition of the aerodrome, landing area, or launch site is safe for the operation; and
- (3) procedures for ensuring that the condition of any required equipment, including safety equipment, is safe for the operation; and
- (4) details of any limitations on the use of the aerodrome, landing area, or launch site.

#### **115.221. Meteorological conditions**

A person operating an aircraft under the authority of an adventure aviation operator certificate must ensure that a flight is not commenced unless current meteorological information indicates VFR minima prescribed in rule 91.301 can be complied with throughout the flight.

#### **115.223. Aircraft load limitations**

- (a) A holder of an adventure aviation operator certificate must ensure that-
  - (1) the limitations contained in the aircraft flight manual, aircraft manufacturer's instructions, or other approved document, relating to the weight and balance of an aircraft are complied with; and
  - (2) maximum allowable weights are not exceeded for-
    - (i) zero fuel, if applicable; and
    - (ii) manoeuvre; and
    - (iii) take-off; and
    - (iv) landing; and
  - (3) the aircraft's centre of gravity is within the limitations referred to in paragraph (a)(1) at departure, and will remain within those limitations throughout the adventure aviation operation.
- (b) A holder of an adventure aviation operator certificate performing a special category aircraft operation under Subpart O must-
  - (1) determine the actual total weight of-
    - (i) every passenger; and
    - (ii) every crew member.
- (c) Before performing an adventure aviation operation, the pilot-in-command must assess the information required by rules 115.455(b)(11) to (b)(15) to ensure that the aircraft remains within the weight and balance limitations specified in the flight manual, or other approved document, for the duration of the flight.

**115.225. Responsibility for airworthiness**

(a) A holder of an adventure aviation operator certificate is responsible for the airworthiness of-

- (1) every aircraft, including tandem parachute assembly, that is operated under the authority of the certificate; and
- (2) any equipment installed in or attached to the aircraft.

(b) A holder of an adventure aviation operator certificate must ensure that every aircraft that is operated under the authority of the certificate is maintained in accordance with the maintenance program required by rule 115.61.

**115.227. Fuel**

(a) Except for a hang glider, paraglider, glider, or tandem parachute descent operation, a holder of an adventure aviation operator certificate must establish a fuel policy for the purpose of flight planning to ensure that each aircraft operated under the certificate carries sufficient fuel, including reserve fuel, for the planned flight.

(b) The fuel policy must ensure that the planning of fuel requirements is based upon-

- (1) the applicable fuel requirements prescribed in Part 91; and
- (2) procedures, tables, and graphs, that are contained in, or derived from, the manufacturer's manuals and that conform to the parameters contained in the aircraft's type certificate or manufacturer's instructions; and
- (3) the operating conditions under which the planned flight is to be conducted.

(c) A holder of an adventure aviation operator certificate must ensure that the calculation of useable fuel required for a flight takes into account the following factors as applicable to the type of operation conducted by the certificate holder:

- (1) taxi fuel:
- (2) trip fuel:
- (3) reserve fuel.

(d) A person performing the flight planning for an adventure aviation operation must comply with the fuel policy required by paragraph (a).

**115.229. Carriage of dangerous goods**

A person must not offer or accept dangerous goods for carriage during an adventure aviation operation.

**115.231. Impairment of personnel affecting flight safety**

A holder of an adventure aviation operator certificate must ensure that an adventure aviation operation does not take place if the holder has reason to believe that any of the following persons is impaired-

- (1) any crew member:
- (2) a tandem master:
- (3) a ground crew member:
- (4) any other person whose work directly affects the safety of an adventure aviation operation.

**Subpart E - Training****115.301. Training - General**

- (a) A holder of an adventure aviation operator certificate must-
  - (1) establish a training program to ensure that each person assigned to act as a crew member or a ground crew member on an adventure aviation operation conducted under the certificate is trained and competent to perform the duties assigned to the person; and
  - (2) ensure that each crew member and each ground crew member is trained in accordance with the training program required by paragraph (1); and
  - (3) ensure that the training program required by paragraph (1) is controlled by the certificate holder.
- (b) A holder of an adventure aviation operator certificate may-
  - (1) conduct the training program; or
  - (2) contract with the holder of an aviation training organisation certificate issued under Part 141, or the holder of an aviation recreational organisation certificate issued under Part 149, to conduct the training program where the Part 141 or Part 149 certificate authorises the holder to conduct that training.

**115.303. Flight crew and ground crew member training program**

(a) A holder of an adventure aviation operator certificate must ensure that the training program required by rule 115.301(a)(1) includes a flight crew and a ground crew member training program that comprises initial training, transition training, and recurrent training that is applicable to-

- (1) the aircraft type, model, or variant to be used for each adventure aviation operation, including special equipment fitted to the aircraft; and

- (2) the routes, areas, aerodromes, landing areas, and launch sites appropriate to the intended adventure aviation operation; and
- (3) the certificate holder's policies and procedures that are appropriate to its adventure aviation operations.

(b) The flight crew member training program must include, where appropriate, both ground and flight instruction utilising an aircraft or when applicable, an approved flight simulator.

(c) The flight crew member training program must be conducted by a flight crew member instructor who meets the requirements of rule 115.311.

(d) A holder of an adventure aviation operator certificate must ensure that the records required by rule 115.65 accurately record the training that each flight crew member and ground crew member has received.

### **115.305. Initial training for crew members and ground crew members**

A holder of an adventure aviation operator certificate must ensure that prior to serving as a crew member or a ground crew member on an aircraft operated under the authority of the certificate, each crew member and each ground crew member completes the initial training segment of the training program-

- (1) in a structured manner; and
- (2) in accordance with a syllabus that includes training applicable to-
  - (i) the aircraft type, model, or variant to be used for the intended adventure aviation operation, including special equipment fitted to the aircraft; and
  - (ii) the type of adventure aviation operation to be conducted; and
  - (iii) the routes, areas, aerodromes, landing areas, and launch sites appropriate to the intended operation; and
  - (iv) crew member and ground crew member assignments, functions, and responsibilities; and
  - (v) the location and operation of emergency equipment that is available for use by crew members and ground crew members; and
  - (vi) if appropriate, the location and use of all normal and emergency exits; and
  - (vii) the certificate holder's policies and procedures that are appropriate to its adventure aviation operations.

### **115.307. Transition training for crew members and ground crew members**

(a) A holder of an adventure aviation operator certificate must ensure that each of its crew members and ground crew members already qualified and serving as a crew member or ground crew member on an adventure aviation operation authorised under the certificate, completes appropriate transition training if-

- (1) the crew member or ground crew member is changing from one aircraft type, model, or variant to another aircraft type, model, or variant; or
  - (2) new procedures or equipment are introduced on an existing aircraft type, model, or variant; or
  - (3) new procedures are introduced due to changes in the certificate holder's adventure aviation operations.
- (b) The transition training must address-
- (1) the use of all safety and emergency equipment and procedures applicable to the aircraft type, model, or variant; and
  - (2) new procedures or equipment introduced on existing aircraft type, model, or variant; and
  - (3) new procedures applicable to the certificate holder's adventure aviation operations.

### **115.309. Recurrent training for crew members and ground crew member**

A holder of an adventure aviation operator certificate must ensure that each of its crew members and ground crew members remain current and proficient for each aircraft, crew member position, ground crew member position, and type of operation, in which the crew member and ground crew member serves.

### **115.311. Flight crew member instructor qualifications**

A holder of an adventure aviation operator certificate must ensure that a person carrying out the functions of an instructor in its flight crew member training program under this Part-

- (1) has satisfactorily completed the training required by this Part to serve as a pilot-in-command or tandem master, as applicable, in the adventure aviation operations conducted under the authority of the certificate; and
- (2) holds-
  - (i) an appropriate current instructor rating issued by the Director under Part 61; or
  - (ii) for a hang glider or paraglider operation, a current hang glider instructor certificate issued by a hang gliding organisation; or
  - (iii) for a tandem parachute operation, a current tandem instructor certificate issued by a parachute organisation; or
  - (iv) for a glider operation, a current glider instructor certificate issued by a glider organisation; and
- (3) completes initial and recurrent training applicable to the instruction carried out.

**115.313. Training records**

A holder of an adventure aviation operator certificate must ensure that the records required by rule 115.65 include a record of all the training undertaken by each crew member and ground crew member.

**Subpart F - Crew Member and Ground Crew Member Competency Requirements****115.351. Operational competency assessment program**

A holder of an adventure aviation operator certificate must establish and implement an operational competency assessment program under this Subpart to ensure that crew members and ground crew members continue to be competent to perform the adventure aviation operations conducted under the authority of the certificate.

**115.353. Flight crew member competency checks**

A holder of an adventure aviation operator certificate must ensure that-

- (1) each pilot acting as pilot-in-command of an aircraft performing an adventure aviation operation under the authority of the certificate has, within the immediately preceding 12 months, passed a competency check, administered by an appropriate flight examiner that-
  - (i) is based on a typical adventure aviation operation normally performed by the pilot; and
  - (ii) consists of a ground-based procedure check and a flight check including applicable launch site, landing area, and aerodrome proficiency checks with 1 or more landings at an aerodrome or landing area; and
  - (iii) establishes that the pilot can satisfactorily perform the duties and responsibilities of a pilot-in-command of an aircraft performing the particular type of adventure aviation operation; and
- (2) each pilot has, within the immediately preceding 12 months, successfully completed a written or oral test of the pilot's knowledge of the following:
  - (i) the relevant Civil Aviation Rules;
  - (ii) the certificate holder's operations specifications and exposition;
  - (iii) the aircraft systems, performance, operating procedures, and the content of the flight manual or manufacturer's operating instructions for each aircraft type or model normally flown by the pilot;
  - (iv) the navigation and ATC procedures as appropriate to the type of operation normally conducted by the pilot;



- (v) meteorology relevant to the type of operation normally conducted by the pilot:
  - (vi) special flight operations as appropriate to the type of operation normally conducted by the pilot:
  - (vii) new equipment, procedures, and techniques:
  - (viii) the location and operation of emergency equipment fitted to an aircraft of the type or model normally flown by the pilot; and
- (3) the flight examiner who administered the check or test required by paragraph (1)-
- (i) certifies in the training record required by rule 115.65 for the pilot that the check or test has been completed and certifies the result of the check or test; and
  - (ii) if the check or test was completed satisfactorily, certifies in the pilot's logbook under rule 61.29(a)(3) satisfactory completion of the check or test; and
- (4) each tandem master has, within the immediately preceding 12 months, passed a tandem master competency check administered by a tandem instructor/examiner that-
- (i) consists of a ground-based procedure check over tandem parachute operation, and a check with 1 or more tandem parachute descents and landings at an aerodrome or landing area representative of the tandem parachute operations conducted by the certificate holder; and
  - (ii) establishes that the tandem master can satisfactorily provide instruction to tandem passengers including all aspects of the intended tandem parachute operation, and that the tandem master is competent to ensure the safety of the tandem passenger throughout the tandem parachute operation; and
- (5) the tandem instructor/examiner who administered the check or test required under paragraph (4)-
- (i) certifies in the training record required by rule 115.65 for the tandem master that the check or test has been completed and certifies the result of the check or test; and
  - (ii) if the check or test was completed satisfactorily, certifies in the tandem master's parachutist logbook satisfactory completion of the check or test; and
- (6) flight crew member competency checks are carried out in an aircraft or flight simulator approved for the purpose.

**115.355. Crew member and ground crew member competency checks**

A holder of an adventure aviation operator certificate must not use a crew member or ground crew member, and a person must not serve as a crew member or ground crew member, unless within the immediately preceding 12 months the certificate holder has determined, by appropriate initial and recurrent assessment, that the person has adequate knowledge and is competent in the following areas as appropriate-

- (1) passenger management, including procedures to be followed for managing the behaviour of persons whose conduct might jeopardise the safety of an adventure aviation operation:
- (2) crew member and ground crew member assignments, functions, and responsibilities during emergencies, including evacuation of persons who may need assistance:
- (3) briefing of passengers:
- (4) use of cabin equipment and controls:
- (5) location and operation of items of emergency equipment:
- (6) location and operation of all normal and emergency exits, including evacuation chutes and escape ropes:
- (7) seating and special requirements of persons who may need assistance:
- (8) first aid competency to an equivalent standard acceptable to the Director.

**115.357. Flight examiner qualifications**

A holder of an adventure aviation operator certificate must ensure that each person performing the functions of a flight examiner in an operational competency assessment program required by rule 115.351-

- (1) holds an aircraft type rating for the aircraft used to conduct the adventure aviation operation; and
- (2) is familiar with the types of adventure aviation operations conducted by the certificate holder; and
- (3) holds-
  - (i) an appropriate current flight examiner rating issued by the Director under Part 61; or
  - (ii) for a hang glider or paraglider operation, a current hang glider flight instructor certificate issued by a hang glider organisation; or
  - (iii) for a tandem parachute operation, a current tandem instructor/examiner certificate issued by a parachute organisation; and
- (4) completes initial and recurrent training applicable to the competency check carried out.

**115.359. Completion of crew member test or flight check before required date**

If a crew member completes a test or flight check within 60 days before the date on which the test or flight check is required, the crew member is deemed to have completed the test or flight check on the date that it is required to be completed.

**115.361. Competency and testing records**

A holder of an adventure aviation operator certificate must maintain accurate records of all competency assessments and testing of its crew members and ground crew members under rule 115.65.

**Subpart G - Fatigue of Flight Crew****115.401. Operator responsibilities - flight and duty time scheme**

(a) A holder of an adventure aviation operator certificate must ensure that an adventure aviation operation is not performed unless a scheme has been established for the recording and regulation of all flight and duty times for each person performing the duties of a flight crew member or tandem master.

(b) The flight and duty time scheme required by paragraph (a) must be acceptable to the Director and address the following factors where appropriate to the operator's type of operation:

- (1) rest periods prior to flight:
- (2) mixed duties:
- (3) standby periods:
- (4) flight duty period:
- (5) type of operation:
- (6) cumulative duty time:
- (7) cumulative flight time:
- (8) discretionary increases in flight time limitations or flight duty limitations or both:
- (9) circadian rhythm:
- (10) days off:
- (11) record keeping.

(c) A holder of an adventure aviation operator certificate conducting an adventure aviation operation must-

- (1) ensure that a person does not act as a flight crew member or tandem master if the certificate holder knows or has reason to believe that the person is suffering from, or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from, such fatigue while the person is acting as a flight crew member or tandem master that the safety of the aircraft or its occupants may be endangered; and
- (2) keep an accurate record of the flight time and duty time of each flight crew member and tandem master, including any other hire or reward flight and ground duties; and
- (3) retain the flight time and duty time record required by paragraph (c)(2) for a period of 12 months from the date on which it was made.

#### **115.403. Flight crew member responsibilities - flight and duty time**

(a) A person must not act as a flight crew member on an adventure aviation operation if the person knows or suspects that he or she is suffering from, or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from, such fatigue that the safety of the aircraft or its occupants may be endangered while the person is acting as a flight crew member.

(b) A person must not act as a flight crew member of on an adventure aviation operation unless the person ensures that the limitations prescribed in the scheme required by rule 115.401(a) relating to the person are not exceeded.

### **Subpart H - Manuals, Logs, and Records**

#### **115.451. Operating information**

A holder of an adventure aviation operator certificate must ensure that the parts of the certificate holder's exposition relevant to the duties of each crew member and ground crew members are current and are accessible to the crew member and ground crew member.

#### **115.453. Documents to be carried**

A holder of an adventure aviation operator certificate must ensure that the following documents, where appropriate, are carried on a flight-

- (1) NOTAM and AIS briefing documentation appropriate to the operation; and
- (2) meteorological information appropriate to the operation; and
- (3) copies of the relevant aeronautical charts.

**115.455. Daily flight record**

(a) A holder of an adventure aviation operator certificate must keep accurate daily flight records for every aircraft, unless the information is recorded in another document in a manner that enables the daily flight record details for every flight to be constructed.

(b) Daily flight records must contain the following details for every flight as applicable to the operation:

- (1) the date of the flight:
- (2) the name of the operator:
- (3) the name of the pilot-in-command:
- (4) for a tandem parachute operation, the name of the tandem master(s):
- (5) the registration markings or identification of the aircraft:
- (6) the total flight time:
- (7) except for a tandem parachute operation, a hang glider operation, or a glider operation, the number of passengers:
- (8) the type of adventure aviation operation:
- (9) the name or identification of the aerodrome, launch site, and landing area used for take-off and landing:
- (10) the total of, the empty weight of the aircraft, the weight of any removable equipment, the weight of consumables, and the weight of crew members:
- (11) the actual total weight of each passenger:
- (12) except for a hang glider operation or a glider operation, the total weight of usable fuel:
- (13) the take-off weight:
- (14) evidence that the centre of gravity is within the specified limits:
- (15) the maximum allowable weights for the operation, including as applicable zero fuel weight, take-off weight, and landing weight for the operation.

(c) Before every adventure aviation operation the holder of an adventure aviation operator certificate must ensure that the information required by paragraphs (b)(11) to (b)(15) is made available to the pilot-in-command in a timely manner to enable the pilot to make the assessment required by rule 115.223 regarding the weight and balance of the aircraft.

**115.457. Retention period**

(a) A holder of an adventure aviation operator certificate must ensure that the flight following and flight plan information required by rule 115.71 is retained for 12 months from the date of the flight.

(b) A holder of an adventure aviation operator certificate must ensure that each of its flight crew records of flight and duty time is retained for 12 months from the date of the records entry.

(c) A holder of an adventure aviation operator certificate must ensure that its records of training, checking, and qualifications of each crew member is retained until 12 months after the crew member has left the certificate holder's employment.

(d) A holder of an adventure aviation operator certificate must ensure that its daily flight record required by rule 115.455 is retained for a period of not less than 12 months after the date of the flight.

(e) A holder of an adventure aviation operator certificate must ensure that the resource records required by rule 115.67 are retained for a period of 24 months from the date the details are recorded.

## **Subpart I - Hot Air Balloon Operations**

### **115.501. Airworthiness - hot air balloon**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hot air balloon must ensure that each balloon used for the operation has a current standard category airworthiness certificate.

### **115.503. Instruments and equipment - hot air balloon**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hot air balloon must ensure that-

- (1) each balloon used for the operation is equipped with the applicable instruments and equipment prescribed in Subpart F of Part 91 and this Part; and
- (2) despite rule 91.509(a)(3), each balloon used for the operation is equipped with a means of indicating altitude in feet.

### **115.505. Maintenance - hot air balloon**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hot air balloon must ensure that each balloon used for the operation is maintained under the maintenance program required by rule 115.61.

### **115.507. Pilot qualification and experience requirements - hot air balloon**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hot air balloon must not assign a person to act as pilot-in-command of the balloon unless the person-

- (1) holds a current commercial pilot licence-balloon issued in accordance with Part 61; and

- (2) holds a licence with balloon category issued by the Director Part 61; and
- (3) has acquired at least-
  - (i) 100 hours flight time experience as pilot-in-command of a balloon; and
  - (ii) 10 hours flight time experience as pilot-in-command of the type of balloon used for the adventure aviation operation.

## **Subpart J - Parachute-Drop Aircraft Operations**

### **115.551. Airworthiness - parachute-drop aircraft**

A holder of an adventure aviation operator certificate conducting a parachute-drop aircraft operation must ensure that each aircraft used to conduct a parachute-drop aircraft operation under the authority of the certificate-

- (1) meets the requirements of rule 91.705(b)(2) to (6); and
- (2) despite rule 91.705(b)(1), has a current-
  - (i) *standard category* airworthiness certificate; or
  - (ii) *special category-primary* airworthiness certificate; or
  - (iii) *special category-limited* airworthiness certificate.

### **115.553. Instruments and equipment - parachute-drop aircraft**

A holder of an adventure aviation operator certificate conducting a parachute-drop aircraft operation must ensure that the parachute-drop aircraft is equipped with the applicable instruments and equipment prescribed by Part 91 and this Part.

### **115.555. Maintenance - parachute-drop aircraft**

A holder of an adventure aviation operator certificate conducting a parachute-drop aircraft operation must ensure that each aircraft operated under the authority of the certificate to conduct a parachute-drop aircraft operation-

- (1) has a review of airworthiness carried out under rule 91.615; and
- (2) is maintained in accordance with the maintenance program required by rule 115.61.

### **115.557. Operating procedures - parachute-drop aircraft**

A holder of an adventure aviation operator certificate conducting a parachute-drop aircraft operation must establish procedures for ensuring compliance with rules 91.705(c)(1), (c)(2), and (d).

**115.559. Pilot qualification and experience requirements - parachute-drop aircraft**

A holder of an adventure aviation operator certificate conducting a parachute-drop aircraft operation must not assign a person to act as pilot-in-command of an aircraft to perform a parachute-drop aircraft operation unless the person-

- (1) holds an appropriate and current commercial pilot licence issued by the Director under Part 61; and
- (2) a current parachute drop rating issued by the Director under Part 61; and
- (3) an aircraft type rating for the aircraft used for the operation; and
- (4) has acquired at least 150 hours flight time experience as pilot-in-command of the category of aircraft used for the parachute-drop aircraft operation.

**Subpart K - Tandem Parachute Operations****115.571. Airworthiness and equipment - tandem parachutes**

A holder of an adventure aviation operator certificate performing a tandem parachute descent operation must ensure that-

- (1) each main parachute, reserve parachute, tandem-master harness, and associated safety equipment complies with a technical standard prescribed in Appendix A.25 of Part 91 or an equivalent standard that is acceptable to the Director; and
- (2) each tandem pair are equipped in accordance with the parachute equipment requirements of Part 105 and this Part; and
- (3) each person participating in the tandem parachute descent operation is equipped with, and uses, supplementary oxygen above 10 000 feet AMSL when a tandem parachute descent is planned to take place above 13 000 feet AMSL.

**115.573. Maintenance - tandem parachutes**

(a) A holder of an adventure aviation operator certificate conducting a tandem parachute descent operation must ensure that-

- (1) a tandem parachute descent operation is not conducted under the authority of the certificate unless the applicable requirements regarding parachute maintenance prescribed in Subpart C of Part 105 are complied with; and
- (2) each tandem parachute assembly used for a tandem parachute descent operation under the authority of the certificate is maintained in accordance with the maintenance program required by rule 115.61.



(b) A holder of an adventure aviation operator certificate conducting a tandem parachute operation must ensure that the maintenance on a tandem parachute assembly that is used for a tandem parachute descent operation under the authority of the certificate is performed by a holder of a valid parachute technician certificate issued by a parachute organisation.

**115.575. Operating procedures - tandem parachutes**

(a) A holder of an adventure aviation operator certificate conducting a tandem parachute operation must establish operating procedures to ensure-

- (1) compliance with the applicable operating requirements prescribed in Subparts A and B of Part 105; and
- (2) that the records required by rule 115.67 include the record required by rule 105.111(c).

(b) The procedures required by paragraph (a) must be at least equivalent to the operating procedures of a parachuting organisation.

**115.577. Tandem-master qualification requirements**

A holder of an adventure aviation operator certificate conducting a tandem parachute descent operation must not assign a person to act as a tandem-master on a tandem parachute descent unless the person-

- (1) holds a current parachutist licence with a current tandem-master rating issued by a parachute organisation that is authorised to issue a parachutist licence; and
- (2) is at least 18 years old; and
- (3) holds a current class 2 medical certificate issued under the Part 67; and
- (4) complies with the privileges and limitations of the certificate and ratings required by paragraph (1).

## Subpart L - Glider Operations

### 115.601. Airworthiness - glider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must ensure that each glider used for the operation has a current standard category airworthiness certificate.

### 115.603. Instruments and equipment - glider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must ensure that-

- (1) each glider used for the operation is equipped under the applicable instrument and equipment requirements prescribed in Subpart F of Part 91, Subpart C of Part 104, and this Part; and
- (2) the instruments and equipment required by Part 104 have been installed under the glider manufacturer's instructions or other equivalent instructions acceptable to the Director; and
- (3) despite rule 91.529(e), each glider used for the operation is equipped with an AELS, or the pilot-in-command is equipped with an ELT(S) or PLB that meets the applicable standard in Part 91 Appendix A.

### 115.605. Maintenance - glider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must ensure that each glider used to the operation is-

- (1) inspected under the maintenance program required by rule 115.61; and
- (2) maintained under-
  - (i) the maintenance program required by rule 115.61; and
  - (ii) the general maintenance requirements prescribed in rule 104.103; and
  - (iii) the applicable requirements prescribed in Subpart G of Part 91.

### 115.607. Pilot qualification and experience requirements - glider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must not assign a person to act as pilot-in-command of a glider to perform an adventure aviation operation unless the person-

- (1) holds a current commercial pilot licence - glider issued by the Director under Part 61; and
- (2) holds an aircraft type rating for the glider; and
- (3) has acquired-
  - (i) at least 200 hours flight time experience as pilot-in-command; and

- (ii) at least 50 hours flight time experience as pilot-in-command of the category of aircraft used for the adventure aviation operation.

#### **115.609. Towing a glider in flight**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must not tow a glider in flight unless-

- (1) the aircraft used to tow the glider has a current-
  - (i) *standard category* airworthiness certificate; or
  - (ii) *special category-LSA* airworthiness certificate; and
- (2) the aircraft meets the applicable instrument and equipment requirements of Part 91 and this Part; and
- (3) the flight manual or manufacturer's instructions allows the aircraft to be used for a glider tow operation; and
- (4) the aircraft is maintained under the maintenance program required by rule 115.61; and
- (5) the pilot of the glider tow aircraft holds-
  - (i) a current pilot licence issued by the Director under Part 61; and
  - (ii) a current glider tow rating issued by the Director under Part 61; and
- (6) the pilot of the glider tow aircraft has acquired-
  - (i) at least 200 hours flight time experience as pilot-in-command of an aircraft; and
  - (ii) at least 50 hours flight time experience as pilot-in-command of the type of aircraft used for the glider tow aircraft operation; and
- (7) the certificate holder ensures that no passengers are carried aboard the glider tow aircraft while performing an adventure aviation operation under the authority of the certificate; and
- (8) each aircraft used by the certificate holder to tow a glider is operated under the requirements of rule 91.709.

#### **115.611. Operating limitations - glider**

Despite rule 104.53, a person performing an adventure aviation operation using a glider must not fly in IMC.

## Subpart M - Hang Glider and Paraglider Operations

### 115.651. Airworthiness - hang glider and paraglider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or a paraglider must ensure that-

- (1) each hang glider used for an adventure aviation operation meets one of the following certification standards-
  - (i) a DHV Gutesiegel certification standard; or
  - (ii) a British Hang Glider and Paraglider Association certification standard; or
  - (iii) the United States HGMA certification standard; or
  - (iv) an equivalent certification standard that is acceptable to the Director; and
- (2) each paraglider used for an adventure aviation operation meets one of the following certification standards-
  - (i) a CEN/AFNOR certification standard; or
  - (ii) a DHV Gutesiegel certification standard; or
  - (iii) an LTF certification standard; or
  - (iv) a European Norm (EN) certification standard; or
  - (v) an equivalent certification standard that is acceptable to the Director.

### 115.653. Instrument and equipment - hang glider and paraglider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or a paraglider must ensure that-

- (1) each hang glider used for the operation is equipped with a means of accurately measuring airspeed; and
- (2) each hang glider or paraglider used for the operation is equipped with an emergency parachute that is fit for the purpose of the operation and meets the standards prescribed in Part 91 Appendix A.25.

### 115.655. Maintenance - hang glider and paraglider

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or a paraglider must ensure that-

- (1) each hang glider or paraglider used for the operation-
  - (i) has a current warrant of fitness under rule 106.17; and
  - (ii) is maintained under the maintenance program required by rule 115.61; and
  - (iii) is maintained by a person who is authorised to perform maintenance on the particular make and model of hang glider or paraglider, by a hang gliding organisation whose aviation recreation organisation certificate authorises the hang gliding organisation to authorise maintenance personnel.

**115.657. Aircraft identification - hang glider and paraglider**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or paraglider must ensure that-

- (1) each hang glider or paraglider used for the operation is identified by a unique number or marking that is readable from the ground at a distance of 100 metres; and
- (2) the number or marking required by paragraph (1) for each hang glider or paraglider is recorded in the operator's operations specifications under rule 115.13.

**115.659. Pilot qualification requirements - hang glider and paraglider**

A holder of an adventure aviation operator certificate must not assign a person to act as pilot-in-command of an adventure aviation operation using a hang glider or paraglider unless the person-

- (1) despite rule 61.5(n), holds a current hang glider and paraglider instructor rating issued by a hang gliding organisation; and
- (2) holds a current class 2 medical certificate issued by the Director under Part 67.

**115.661. Operator requirements - hang glider and paraglider**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or a paraglider must ensure that-

- (1) the aircraft is, at all times, operated in compliance with the operating limitations specified in the aircraft flight manual or aircraft manufacturer's operating instructions; and
- (2) an aircraft flight manual or manufacturer's operating instruction, applicable to the aircraft being used, is available to the pilot-in-command prior to flight.

**115.663. Passenger safety requirements - hang glider and paraglider**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider or a paraglider must ensure that in addition to the safety equipment required by rule 106.19, and this Part, each passenger-

- (1) of a paraglider wears a back protection device that meets a standard that is acceptable to a hang gliding organisation or an equivalent standard that is acceptable to the Director; and

- (2) wears protective clothing appropriate for the environmental conditions in which the flight is to be carried out.

### **115.665. Towing a hang glider in flight**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a hang glider must not tow a hang glider in flight unless-

- (1) the aircraft used to tow the hang glider is a Class 2 microlight aircraft that-
  - (i) has a current flight permit issued by the Director under Part 103; and
  - (ii) conforms to a type design standard referred to in rule 103.207 that is applicable to the flight permit required by paragraph (i); and
  - (iii) is equipped as specified in rules 103.221 and 103.223; and
  - (iv) the flight manual or manufacturer's instruction allows the microlight aircraft to be used for a hang glider tow operation; and
  - (v) is maintained under the maintenance requirements prescribed in Subpart G of Part 103 and the maintenance program required by rule 115.61; and
- (2) the hang glider is equipped as specified in rule 103.223(2); and
- (3) the pilot of the glider tow aircraft holds an appropriate and current pilot licence or advanced microlight pilot certificate and a current microlight tow rating under rule 103.157; and
- (4) the towing operation is conducted as specified in rule 103.157(c).

## **Subpart N - Reserved**

## **Subpart O - Special Category Aircraft Operations**

### **115.751. Aircraft airworthiness**

A holder of an adventure aviation operator certificate conducting a special category aircraft operation must ensure that-

- (1) each aircraft used to conduct a special category aircraft operation has a current-
  - (i) *standard category* airworthiness certificate; or
  - (ii) *special category-primary* airworthiness certificate; or
  - (iii) *special category-LSA* airworthiness certificate; or
  - (iv) *special category-limited* airworthiness certificate; and
- (2) the flight manual for the aircraft used for the operation permits the aircraft to be used for the types of manoeuvres that are intended to be performed on the operation.

**115.753. Instruments and equipment**

A holder of an adventure aviation operator certificate conducting a special category aircraft operation must ensure that each aircraft used for the special category aircraft operation is equipped with-

- (1) instruments and equipment that meet the requirements of Part 91 and this Part; and
- (2) an AELS under rule 91.529.

**115.755. Aircraft maintenance**

A holder of an adventure aviation operator certificate conducting a special category aircraft operation must ensure that each aircraft used for a special category aircraft operation-

- (1) is maintained under the maintenance program required by rule 115.61; and
- (2) has a review of airworthiness under rule 91.615.

**115.757. Pilot qualifications and experience requirements**

A holder of an adventure aviation operator certificate conducting a special category aircraft operation must not assign a person to act as pilot-in-command of an aircraft used to perform a special category aircraft operation unless the person-

- (1) holds an appropriate and current commercial pilot licence issued by the Director under Part 61; and
- (2) holds an aircraft type rating for the aircraft used for the operation; and
- (3) for an adventure aviation aerobatic operation, and adventure aviation formation flight operation, and a simulated military operation, holds a current aerobatic flight rating issued by the Director under Part 61; and
- (4) has acquired at least 200 hours flight time experience as pilot-in-command, and at least 30 hours flight time experience as pilot-in-command on the category of aircraft being used for the operation; or
- (5) for multi or turbine engine aeroplanes and multi or turbine engine helicopters, has acquired at least 300 hours flight time experience as pilot-in-command, and at least 30 hours flight time experience as pilot-in-command on the category of aircraft being used for the operation; or
- (6) for aeroplanes or helicopters carrying out an adventure aviation aerobatic operation, an adventure aviation formation flight operation, or a simulated military operation, has acquired at least-
  - (i) 300 hours flight time experience as pilot-in-command; and
  - (ii) 30 hours flight time experience as pilot-in-command on the category of aircraft used for the operation; and

- (iii) 30 hours flight time experience as pilot-in-command carrying out the types of manoeuvres to be performed during the operation.

## **Subpart P - Microlight Aircraft Operations**

### **115.801. Airworthiness - microlight aircraft**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a microlight aircraft must ensure that each microlight aircraft used for the operation-

- (1) has a current Class 2 microlight flight permit issued by the Director under Part 103; and
- (2) conforms to the type design standards in rule 103.207.

### **115.803. Instruments and equipment - microlight aircraft**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a microlight aircraft must ensure that each microlight aircraft used for the operation-

- (1) is equipped with the applicable instruments and equipment specified in rules 91.509, 103.221(a), and 103.221(c)(2); and
- (2) despite rule 91.529(e), is equipped with an AELS, or the pilot-in-command is equipped with an ELT(S) or PLB that meets the applicable standard in Part 91 Appendix A and is maintained under rule 91.605(e)(4).

### **115.805. Maintenance - microlight aircraft**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a microlight aircraft must ensure that-

- (1) each microlight aircraft used for the operation is maintained and inspected under rule 103.217; and
- (2) each microlight aircraft used for the operation is maintained under the maintenance program required by rule 115.61; and
- (3) despite rule 103.217(d)(1)(i), each person authorised to perform maintenance on, and perform the annual condition inspection required by paragraph (1) on, a microlight aircraft operated under the authority of the certificate holds an appropriate qualification issued by the Director under Part 66.

### **115.807. Technical log**

Despite rule 91.601(b)(4), a holder of an adventure aviation operator certificate conducting an adventure aviation operation using a microlight aircraft must provide a technical log under rule 91.619.



### **115.809 Pilot qualification and experience requirements - microlight aircraft**

A holder of an adventure aviation operator certificate must not assign a person to act as pilot-in-command of a microlight aircraft performing an adventure aviation operation unless the person-

- (1) holds a current and appropriate commercial pilot licence issued by the Director under Part 61; and
- (2) holds appropriate aircraft type used for the operation; and
- (3) has acquired at least-holds an appropriate aircraft type rating for the aircraft
  - (i) 200 hours flight time experience as pilot-in-command of an aircraft; and
  - (ii) 30 hours flight time experience as pilot-in-command of the type of microlight aircraft used for the adventure aviation operation.

### **115.811. Minimum heights - microlight aircraft**

Rules 91.311(c) and 103.153 do not apply to a pilot of a microlight aircraft performing an adventure aviation operation under the authority of an adventure aviation operator certificate issued by the Director under Part 115.

## Appendix A - Qualifications and competencies of senior persons

| Hot Air Balloon Operation  |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | CPL (B)   |
|  | PIC experience required        | 3 years PIC experience with Part 115 certificate holder or equivalent commercial hot air balloon operations; and<br><br>200 hours PIC experience on hot air balloons; and<br><br>Experience acceptable to the Director in the type of adventure aviation operation to be performed. |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | CPL (B)   |
|  | Currency                       | Meets currency requirements to act as PIC in one of the operator's hot air balloons; and<br><br>200 hours experience in hot air balloon operations.   |
|  | Managerial experience required | 3 years experience with Part 115 certificate holder or equivalent commercial hot air balloon operations; and<br><br>2 years experience in a pilot check and training role that is acceptable to the Director.   |
| Senior person responsible for the control and direction of maintenance | Document required              | Certificate of training acceptable to the Director that provides evidence of competency to perform maintenance planning and maintenance control functions.  |

|  |                                |  |
|--|--------------------------------|--|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of hot air balloon maintenance to ensure that all hot balloons operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.   |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.   |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.  |

| <b>Parachute-Drop Aircraft Operation</b>                               |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | CPL   |
|  | PIC experience required        | 150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and<br>750 hours TT PIC; or<br>Experience acceptable to the Director in the type of adventure aviation operation to be performed.                         |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | “A” or “B” category instructor rating issued in accordance with Part 61   |
|  | Currency                       | Holds a current “A” or “B” category instructor rating issued in accordance with Part 61; and<br>Meets currency requirement to act as PIC in at least one type of the certificate holder’s aircraft, with 500 hours experience in that category of aircraft. |
|  | Managerial experience required | 2 years experience as a qualified instructor; or<br>2 years experience in a pilot check and training role that is acceptable to the Director.   |
| Senior person responsible for the control and direction of maintenance | Document required              | LAME or successfully completes a test or examination administered by the Director to determine the applicant’s competency to perform maintenance planning and maintenance control functions.  |

|  |                                |  |
|--|--------------------------------|--|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of aircraft maintenance to ensure that all parachute-drop aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.   |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.   |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.  |

| <b>Tandem Parachute Descent Operation</b>                              |                                   |  |
|--|-----------------------------------|--|
| Senior person responsible for adventure aviation operations            | Document required                 | Tandem master rating issued by a parachute organisation that has certificated under Part 149.  |
|  | Tandem master experience required | Tandem master having completed 1000 tandem descents; and<br>3 years experience as a tandem master; or<br>3 years experience that is relevant to the position and is acceptable to the Director.  |
|  | Managerial experience required    | 3 years experience in an operational control position that is acceptable to the Director.  |
| Senior person responsible for crew training and competency assessment  | Document required                 | Holds an instructor rating issued by a parachute organisation that has been certificated under Part 149.   |
|  | Currency                          | Meets currency requirements to act as a parachute organisation instructor.   |
|  | Managerial experience required    | 3 years experience in a parachutist check and training role that is acceptable to the Director.  |
| Senior person responsible for the control and direction of maintenance | Document required                 | Successfully completes a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.   |
|  | Vocational experience required    | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br>Sufficient knowledge of tandem parachute maintenance to ensure that all tandem parachutes operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |

|  |                                |   |
|--|--------------------------------|---|
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.  |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.  |
| 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<br><br>2 years experience with organisational management systems in the aviation industry. |

| <b>Glider and Glider Tow Aircraft Operation</b>                        |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | CPL (G)   |
|  | PIC experience required        | 3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and<br>150 hours TT PIC; or<br>Experience acceptable to the Director in the type of adventure aviation operation to be performed. |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | CPL (G) or an "A" or "B" category glider instructor rating issued by a gliding organisation that has been certificated under Part 149.  |
|  | Currency                       | Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 150 hours experience in that category of aircraft.   |
|  | Managerial experience required | 2 years experience as an "A" or "B" category glider instructor for a gliding organisation certificated under Part 149.  |
| Senior person responsible for the control and direction of maintenance | Document required              | LAME or successfully completes a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.                                      |



|  |                                |  |
|--|--------------------------------|--|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of glider and glider tow aircraft maintenance to ensure that all gliders and glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.   |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.   |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.  |

| <b>Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation</b>   |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | Hang glider/paraglider instructor rating  |
|  | PIC experience required        | 3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and<br>200 hours TT as PIC; and<br>Experience acceptable to the Director in the type of adventure aviation operation to be performed. |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | HG/PG instructor rating   |
|  | Currency                       | Meets currency requirements to act as PIC in one of the operator's aircraft or a similar type; and<br>200 hours experience in HG/PG operations.   |
|  | Managerial experience required | 2 years experience as a qualified instructor for a HG/PG organisation certificated under Part 149; or<br>2 years experience in a pilot check and training role that is acceptable to the Director.                                    |
| Senior person responsible for the control and direction of maintenance | Document required              | Successfully completes a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.  |

|  |                                |   |
|--|--------------------------------|---|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of hang glider/paraglider and hang glider tow aircraft maintenance to ensure that all hang gliders/paragliders and hang glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 2 years of relevant experience that is acceptable to the Director.  |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.  |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.   |

| <b>Special category aircraft operation</b>                             |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | CPL (A) or CPL (H)  |
|  | PIC experience required        | 150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and<br>750 hours TT PIC; or<br>Experience acceptable to the Director in the type of adventure aviation operation to be performed.                         |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | CPL   |
|  | Currency                       | Holds a current "A" or "B" category instructor rating issued in accordance with Part 61; and<br>Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft. |
|  | Managerial experience required | 2 years experience as a qualified instructor; or<br>2 years experience in a pilot check and training role that is acceptable to the Director.   |
| Senior person responsible for the control and direction of maintenance | Document required              | LAME or successfully completes a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.  |

|  |                                |   |
|--|--------------------------------|---|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of aircraft maintenance to ensure that all aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.  |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.  |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.   |

| <b>Microlight Aircraft Operation</b>                                   |                                |   |
|--|--------------------------------|---|
| Senior person responsible for adventure aviation operations            | Document required              | CPL (A) or CPL (H)  |
|  | PIC experience required        | 150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and<br>500 hours TT PIC; or<br>Experience acceptable to the Director in the type of adventure aviation operation to be performed. |
|  | Managerial experience required | 3 years experience in an operational control position that is acceptable to the Director.   |
| Senior person responsible for crew training and competency assessment  | Document required              | Microlight instructor certificate issued by a microlight organisation that has been certificated under Part 149.  |
|  | Currency                       | Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.   |
|  | Managerial experience required | 2 years experience as a qualified instructor for a microlight organisation that has been certificated under Part 149; or<br>2 years experience in a pilot check and training role that is acceptable to the Director.               |
| Senior person responsible for the control and direction of maintenance | Document required              | LAME or successfully completes a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.  |

|  |                                |   |
|--|--------------------------------|---|
|  | Vocational experience required | Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance program requirements, and<br><br>Sufficient knowledge of microlight aircraft maintenance to ensure that all microlight aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance program are satisfactorily accomplished. |
|  | Aviation experience required   | 3 years of relevant experience that is acceptable to the Director.  |
| Senior person responsible for safety management                    | Competency                     | Demonstrate competency relevant to systems of safety management.<br><br>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.  |
| 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<br><br>2 years experience with organisational management systems in the aviation industry.   |

--oOo--