



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX125/23

I, JOSEPH ANTHONY RULE, Acting Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.056, 11.160, 11.205 and 132.035 of the *Civil Aviation Safety Regulations 1998*.

### [Signed J. Rule]

Joe Rule

Acting Executive Manager, National Operations & Standards

22 December 2023

### CASA EX125/23 — Aerial Filming (Aero Vodochody L-39C Limited Category Aircraft) Instrument 2023

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#### 1 Name

This instrument is *CASA EX125/23 — Aerial Filming (Aero Vodochody L-39C Limited Category Aircraft) Instrument 2023*.

#### 2 Definitions

*Note* In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: **limited category aircraft** and **pilot in command**.

In this instrument:

**Aerial Agriculture** means Aerial Agriculture Pty Ltd, ARN 086976, operating under certificate numbers CASA.AOC.0361 and CASA.138AWK.0270.

*Note* Aerial Agriculture trades as Fleet Helicopters.

**operator's exposition** means the document titled *Fleet Helicopters Exposition Volume 6 Part 138 Aerial Work Operations*, version 2.0, as the document exists at the time this instrument commences.

**permit index number** has the meaning given by regulation 132.010 of CASR.

**relevant aircraft** means the Aero Vodochody L-39C limited category aircraft that has the registration mark VH-FIS, fitted with a Shotover Rush gimbal, that is operated by Aerial Agriculture.

#### 3 Approval — authorised operation

- (1) Each flight of the relevant aircraft for aerial filming operations is approved under regulation 132.035 of CASR, for the purposes of paragraph 132.055(1)(i) of CASR.
- (2) The approval in subsection (1) is subject to the conditions in section 5.

## 4 Exemptions

- (1) Aerial Agriculture is exempt from Part 138 of CASR to the extent that Part 138 applies in relation to the operation of the relevant aircraft for aerial filming.

*Note* Aerial filming is a task specialist operation which is a kind of aerial work operation — see regulation 138.010 of CASR.

- (2) The pilot in command of the relevant aircraft is exempt from Part 138 of CASR to the extent that Part 138 applies in relation to a flight of the relevant aircraft involving aerial filming.
- (3) The exemption in subsection (1) is subject to the condition in subsection 5(1).
- (4) The exemption in subsection (2) is subject to the condition in subsection 5(2).

## 5 Conditions

- (1) Aerial Agriculture must comply with the procedures for aerial filming set out in the operator's exposition when operating the relevant aircraft for aerial filming.
- (2) The pilot in command must comply with the requirements of the operator's exposition that apply to the pilot in command in relation to a flight of the relevant aircraft for aerial filming.

*Note 1* The procedures for aerial filming in the operator's exposition include the use of a Safe Work Method Statement to assess risk before each flight (see section 1.4 of the document), and the conduct of a briefing, using a briefing checklist, before each flight (see section 5.6 of the document).

*Note 2* As a limited category aircraft, the relevant aircraft must be operated by Aerial Agriculture in accordance with Part 132 of CASR. As at commencement of this instrument, the relevant aircraft has a permit index number of 1 (*PN1*). Subregulation 132.075(4) of CASR provides for when PN1 limited category aircraft may be flown over populous areas.

*Note 3* The relevant aircraft must be also operated by Aerial Agriculture and the pilot in command in accordance with all the general operating and flight rules in Part 91 of CASR. (This is because, due to the exemptions in subsections 4(1) and (2), the Part 138 provisions mentioned in column 2 of the table to regulation 91.035 of CASR do not apply to the operation of the relevant aircraft for aerial filming.)

## 6 Repeal

This instrument is repealed at the end of 31 December 2024.

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