



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX99/21

I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under paragraph 151 (3) (a) and subregulations 215 (3), 250 (2) and 251 (3) of the *Civil Aviation Regulations 1988* and regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed W.C. Martin]

Craig Martin

Executive Manager, Regulatory Oversight

24 September 2021

CASA EX99/21 — Specialist Helicopters (Helocasting, Dropping and Special Rappelling) Instrument 2021

1 Name

This instrument is *CASA EX99/21 — Specialist Helicopters (Helocasting, Dropping and Special Rappelling) Instrument 2021*.

2 Duration

- (1) This instrument commences on 25 September 2021.
- (2) Subject to subsection (3), this instrument is repealed at the end of 17 October 2022.
- (3) Sections 5 to 10, subsections 11 (1) to (5) and section 12 are repealed at the end of 17 October 2021.

Note 1 For the purposes of regulation 11.250 of CASR, the directions in subsections 11 (3) to (6) cease to be in force on repeal of those respective subsections as provided for under this section.

Note 2 The authorisation, exemptions, permissions, directions and conditions in this instrument, other than the direction in subsection 11 (6) requiring retention of acknowledgments for 12 months, are repealed at the end of 17 October 2021.

3 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: **AOC**.

In this instrument:

aircrew member has the meaning given by subsection 1 of *Civil Aviation Order 82.6 (Night vision imaging system — helicopters) 2007*, as in force from time to time.

approved attachment point, for a relevant helicopter, means an attachment point:

- (a) on the floor or any other part of the internal structure of the aircraft; and
- (b) approved under the flight manual for the aircraft.

approved harness means a harness that is approved by CASA under regulation 21.305 of CASR.

CAO 20.16.3 means Civil Aviation Order 20.16.3 (as amended), as in force from time to time.

CAO 29.11 means Civil Aviation Order 29.11 (as amended), as in force from time to time.

contestant means any of the following persons participating as a contestant in the filming of *SAS Australia*:

- (a) Jessica Alder;
- (b) Darius Boyd;
- (c) Millie Boyle;
- (d) Ebanie Bridges;
- (e) Richard Buttrose;
- (f) Wayne Carey;
- (g) Ashley Cheadle;
- (h) Ryan Clarke;
- (i) Riana Crehan;
- (j) Rhali Dobson;
- (k) Laura Dundovic;
- (l) Paul Fenech;
- (m) Locklan Gilbert;
- (n) Ellia Green;
- (o) Barry Hall
- (p) Timm Hanly;
- (q) Simone Holtznagel;
- (r) Geoffrey Huegill;
- (s) Isabelle Kelly;
- (t) Daniel Macpherson;
- (u) Tziporah Malkah;
- (v) William Mason;
- (w) Ruby Matthews;
- (x) Shane Mumford;
- (y) Melissa Nicholas;
- (z) Skye Nicolson;
- (za) Alexandra Pike;
- (zb) Orpheus Pledger;
- (zc) Anna Robards;
- (zd) Andrew Ryan;
- (ze) Michael Slater;
- (zf) Cheyenne Tozzi;

- (zg) Candice Warner;
- (zh) David Williams;
- (zi) Melissa Wu;
- (zj) Michael Zerafa.

contest operation means an operation conducted in a relevant helicopter:

- (a) by Specialist Helicopters; and
- (b) at a height of less than 1 000 feet above the terrain; and
- (c) that involves:
 - (i) helicopter entry from a slow-moving boat, in the circumstances set out in “Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Skid Jump”, v5.0 dated September 2021; or
 - (ii) special rappelling, in the circumstances set out in “Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Restricted Rappelling Ops”, v3.0 dated September 2021; or
 - (iii) helocasting, in the circumstances set out in “Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Hover Exit: Helocasting”, v3.0 dated September 2021; or
 - (iv) a ladder crossing, in the circumstances set out in “Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Ladder Crossing”, v5.0 dated September 2021; or
 - (v) a human extraction, in the circumstances set out in “Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Human Extraction”, v3.0 dated September 2021.

described area means the area around Jervis Bay, New South Wales, as specified in the risk management plan that applies for the contest operation.

dispatcher’s restraint strap means a dispatcher’s restraint strap that complies with ATSO-C1001, as it exists at the time this instrument commences.

helocast: a person engages in a **helocast** if the person leaves a helicopter while the helicopter:

- (a) is over water; and
- (b) is established at the height at which the person will leave the helicopter; and
- (c) has a ground speed not exceeding 10 knots.

hover means flight at zero ground speed.

nominated aircrew member means any of the following persons who are aircrew members:

- (a) Erica Foley;
- (b) Jack Kain;
- (c) Anthony Middleton;
- (d) Mathew Ollerton;
- (e) Rifka Peglar;
- (f) William Proctor;
- (g) David Ranftle;
- (h) Mei Rogers;
- (i) Matt Rogerson;

- (j) Joanne Siddiqui;
- (k) Clint Smith;
- (l) Dean Stott;
- (m) Leon Stripp;
- (n) Katrina Thomas.

nominated camera operator means any of the following persons:

- (a) Ryan Barry-Cotter;
- (b) Matthew Deavin;
- (c) Marcus De Giorgio;
- (d) Rob Gunn;
- (e) Will Hayles;
- (f) Tim Keith;
- (g) Dan McGrath;
- (h) Paul Moss;
- (i) Gabiso Ndiweni.

rappelling harness means a rappelling harness that complies with ATSO-C1003, as it exists at the time this instrument commences.

Note For information about minimum performance standards ATSO-C1001 – *Dispatcher’s restraint strap* and ATSO-C1003 – *Helicopter external personnel lifting devices* — see section 13.2 and Schedules 24 and 26 of the *Part 21 Manual of Standards* available on the Federal Register of Legislation.

relevant helicopter means a Eurocopter AS350 or AS355, or an Airbus H125, helicopter:

- (a) operated by Specialist Helicopters under an AOC that authorises the conduct of sling load operations, special rappelling operations, and emplaning and deplaning from the hover; and
- (b) fitted with approved, and rappelling, harnesses; and
- (c) fitted with dispatcher’s restraint straps.

risk management plan means any of the following documents provided by Specialist Helicopters to CASA, as they exist at the time this instrument commences:

- (a) Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Hover Exit: Helocasting, v3.0 dated September 2021;
- (b) Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Restricted Rappelling Ops, v3.0 dated September 2021;
- (c) Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Skid Jump, v5.0 dated September 2021;
- (d) Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Ladder Crossing, v5.0 dated September 2021;
- (e) Risk Management Plan — SAS ‘Australia’ Series 4: Celebrities Human Extraction, v3.0 dated September 2021.

SAS Australia means the television show known as *SAS Australia*, produced by Screentime Australia.

Specialist Helicopters means David Adamson, ARN 559092, trading as Specialist Helicopters.

4 Application

This instrument applies in relation to Specialist Helicopters when conducting a contest operation, in the described area for the contest operation, for the purposes of filming *SAS Australia*.

5 Authorisation

- (1) For paragraph 151 (3) (a) of CAR, the pilot in command of a relevant helicopter conducting a contest operation is authorised to pick up a contestant during a contest operation.
- (2) The authorisation mentioned in subsection (1) is subject to the condition mentioned in subsection 12 (2).

6 Exemption — Specialist Helicopters

- (1) Specialist Helicopters, when conducting a contest operation, is exempt from compliance with:
 - (a) subregulation 207 (2) of CAR; and
 - (b) subregulations 207 (3) and 235 (7A) of CAR, to the extent that they require compliance with paragraphs 9.1 and 9.3 of CAO 20.16.3 in relation to the stowage of loose articles; and
 - (c) subregulation 250 (1) of CAR; and
 - (d) paragraphs 9.1 and 9.3 of CAO 20.16.3 in relation to the stowage of loose articles; and
 - (e) subparagraph 8.2 (a) of CAO 29.11.
- (2) The exemptions mentioned in subsection (1) are subject to the condition mentioned in subsection 12 (2).
- (3) The exemption mentioned in paragraphs (1) (b) and (d) are subject to the condition mentioned in subsection 12 (1).

7 Exemption — pilot in command

- (1) The pilot in command of a relevant helicopter, when conducting a contest operation, is exempt from compliance with:
 - (a) subregulation 150 (1) of CAR, to the extent that it prohibits dropping a contestant from the helicopter; and
 - (b) regulation 157 of CAR; and
 - (c) subregulation 207 (2) of CAR; and
 - (d) subregulations 207 (3) and 235 (7A) of CAR, to the extent that they require compliance with paragraphs 9.1 and 9.3 of CAO 20.16.3 in relation to the stowage of loose articles; and
 - (e) subregulation 250 (1A) of CAR; and
 - (f) paragraphs 9.1 and 9.3 of CAO 20.16.3 in relation to the stowage of loose articles.
- (2) The exemptions mentioned in subsection (1) are subject to the condition mentioned in subsection 12 (2).
- (3) The exemptions mentioned in paragraphs (1) (d) and (f) are subject to the condition in subsection 12 (1).

8 Exemption — nominated aircrew member

- (1) A nominated aircrew member of a relevant helicopter being used in a contest operation is exempt from compliance with:
 - (a) subregulations 207 (3) and 235 (7A) of CAR, to the extent that they require compliance with paragraphs 3.1, 4.1, 9.1 and 9.3 of CAO 20.16.3; and
 - (b) paragraph 251 (1) (c) of CAR; and
 - (c) paragraphs 3.1, 4.1, 9.1 and 9.3 of CAO 20.16.3.
- (2) The exemptions mentioned subsection (1) are subject to the condition mentioned in subsection 12 (2).
- (3) The exemption mentioned in paragraph (1) (b) is subject to the condition in subsection 12 (4).
- (4) The exemptions mentioned in paragraphs (1) (a) and (c), as they relate to compliance with paragraphs 9.1 and 9.3 of CAO 20.16.3, are subject to the condition in subsection 12 (3).

9 Exemption — contestant

- (1) A contestant on a relevant helicopter being used in a contest operation is exempt from compliance with:
 - (a) subregulations 207 (3) and 235 (7A) of CAR, to the extent that they require compliance with paragraphs 3.1, 4.1, 9.1 and 9.3 of CAO 20.16.3; and
 - (b) paragraph 251 (1) (c) of CAR; and
 - (c) paragraphs 3.1, 4.1, 9.1 and 9.3 of CAO 20.16.3.
- (2) The exemption mentioned in paragraph (1) (b) is subject to the condition in subsection 12 (5).
- (3) The exemptions mentioned in paragraphs (1) (a) and (c), as they relate to compliance with paragraphs 9.1 and 9.3 of CAO 20.16.3, are subject to the condition in subsection 12 (3).

10 Permission — operator and pilot in command

- (1) For subregulation 250 (2) of CAR, Specialist Helicopters and the pilot in command of a relevant helicopter are permitted to pick up a contestant, positioned in a harness system attached to a relevant helicopter, for the purposes of a contest operation.
- (2) For subregulation 250 (2) of CAR, Specialist Helicopters and the pilot in command of a relevant helicopter are permitted to carry a contestant or an aircrew member on a flight for the purposes of a contest operation on, or in:
 - (a) a part of the aircraft that is not designed for the accommodation of the crew or passengers; or
 - (b) anything attached to the aircraft.
- (3) The permissions in subsections (1) and (2) are subject to the conditions mentioned in subsections 12 (1) and (2).
- (4) For regulation 151 and subregulation 250 (2) of CAR, Specialist Helicopters is permitted to conduct a contest operation that involves rappelling, as if the operation were a restricted rappelling operation within the meaning of paragraph 8.1 of CAO 29.11.

11 Directions

- (1) For subregulation 215 (3) of CAR, Specialist Helicopters must include a copy of this instrument in its operations manual.
- (2) For subregulation 251 (3) of CAR, an approved harness must be worn in place of a seatbelt by a contestant or a nominated camera operator in circumstances where the contestant or nominated camera operator:
 - (a) is on a relevant helicopter for the purposes of a contest operation; and
 - (b) is not required to wear a seatbelt under this instrument; and
 - (c) if the person is a contestant, the circumstances mentioned in paragraph 12 (6) (b) do not apply.
- (3) For regulation 11.245 of CASR, Specialist Helicopters must ensure that:
 - (a) each approved harness worn by an aircrew member on a relevant helicopter used for a contest operation is secured to an approved attachment point by a dispatcher's restraint strap; and
 - (b) an approved harness is attached to each dispatcher's restraint strap that is available for use by a contestant in a relevant helicopter; and
 - (c) a copy of this instrument, or a document reproducing all the directions in this section and the conditions in section 12, is given to:
 - (i) each pilot in command conducting a contest operation in a relevant helicopter; and
 - (ii) each contestant, nominated camera operator and nominated aircrew member carried on a relevant helicopter being used in a contest operation; and
 - (d) before a contest operation in a relevant helicopter, the pilot in command gives a briefing on the directions in this section and the conditions in section 12 to each contestant, nominated camera operator and nominated aircrew member carried on the helicopter.
- (4) Specialist Helicopters must ensure that, before a contest operation in a relevant helicopter, each nominated aircrew member, nominated camera operator and contestant is given a written briefing that includes:
 - (a) information comparing the safety of the helicopter with helicopters used for regular public transport or charter operations, including that CASA does not require the helicopter to be operated to the same degree of safety as a helicopter used for regular public transport or charter operations; and
 - (b) a statement of the risks associated with undertaking the contest operation; and
 - (c) a statement to the effect that engaging in the contest operation is done at the person's own risk.
- (5) Specialist Helicopters must not conduct a contest operation in a relevant helicopter unless, before the operation, each nominated aircrew member, nominated camera operator and contestant that will be carried on the helicopter has signed an acknowledgement that they have received and understood the briefing mentioned in subsection (4).
- (6) Specialist Helicopters must retain a copy of an acknowledgment mentioned in subsection (5) for 12 months after it is signed.

12 Conditions

- (1) Specialist Helicopters and the pilot in command must ensure that each nominated aircrew member, nominated camera operator and contestant on the relevant helicopter complies with the requirements for carriage and stowage of loose articles mentioned in subsection (3).
 - (2) Specialist Helicopters, the pilot in command of a relevant helicopter and each nominated aircrew member on a relevant helicopter must ensure that a contest operation is carried out in accordance with the risk management plan that applies for the contest operation.
 - (3) If the nominated aircrew member, nominated camera operator or contestant takes on board the aircraft loose articles, the person must:
 - (a) stow the article within, or secure the article to, the aircraft so as to avoid the possibility of injury to persons or damage to the aircraft caused by movement of the article; or
 - (b) during the flight, hold on to the article or otherwise secure the article on the person's body.
 - (4) When on board a relevant helicopter being used for a contest operation, the nominated aircrew member must wear an approved harness secured to an approved attachment point by a dispatcher's restraint strap.
 - (5) Subject to subsection (6), when on board a relevant helicopter being used for a contest operation, the contestant must wear an approved harness attached to a dispatcher's restraint strap secured to an approved attachment point in the aircraft.
 - (6) A contestant is not required to comply with subsection (5) if:
 - (a) the contestant is seated, on a seat, wearing a seatbelt; or
 - (b) the contestant is preparing to, for the purposes of a contest operation:
 - (i) engage in deplaning from the hover and the helicopter is established in the hover at the height where the deplaning will take place; or
 - (ii) engage in a helocast and the helicopter has a ground speed not exceeding 10 knots, and is established at the height at which the contestant will leave the helicopter; or
 - (iii) engage in a ladder crossing and the helicopter is established in the hover at a height no higher than 10 metres over water.
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