



**Australian Government**  
**Civil Aviation Safety Authority**

**CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023**

**as amended**

made under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

This compilation takes into account amendments up to instrument *CASA EX61/25 — CASA EX105/23 and CASA EX67/24 Amendment Instrument 2025*. It is a compilation of *CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023*, as amended and in force on 1 July 2025.

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Compilation No. 1.

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**1 Name**

This instrument is *CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023*.

**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: **operator** and **Part 105 ASAO** as defined in the CASR Dictionary.

In this instrument:

**CASR** means the *Civil Aviation Safety Regulations 1998*.

**competency review** has the meaning given by subsection 3.04(1) of the Part 105 Manual of Standards.

**flight time** has the same meaning as in Part 61 of CASR.

**jump pilot authorisation** has the meaning given by section 3.03 of the Part 105 Manual of Standards.

**parachute operator**: see regulation 105.010 of CASR.

#### **4 Parachute operators who are not training organisations**

##### Application

- (1) Subsection (2) applies to a person who:
  - (a) carries on a business or undertaking mentioned in paragraph (h) of the definition of **parachuting activity** in regulation 105.010 of CASR; and
  - (b) in undertaking that parachuting activity is not providing a service mentioned in subsection (3).

*Note* A person carrying on a business or undertaking that is a parachuting activity mentioned in paragraph (1)(a) is defined to be a **parachute operator**: see regulation 105.010 of CASR.

##### Exemption

- (2) The person is exempt from compliance with subregulations 105.065(1) and 105.070(2) of CASR.

##### Services for which a parachute operator is not exempt

- (3) For paragraph (1)(b), the following are services in relation to which the person is not exempt:
  - (a) training, or a service relating to training, in:
    - (i) undertaking a parachute descent; or
    - (ii) supervising a parachute descent undertaken by a trainee parachutist or tandem parachutist, or both; or
    - (iii) operating an aircraft to facilitate a parachute descent undertaken by a trainee parachutist or tandem parachutist, or both;
  - (b) supervision of, or a service relating to supervision of, a parachute descent undertaken by a trainee parachutist or tandem parachutist, or both.

##### Persons who are not parachute operators

- (4) To avoid doubt, an individual who:
  - (a) undertakes a parachuting activity mentioned in paragraphs (a) to (g), or paragraph (i), of the definition of **parachuting activity** in regulation 105.010 of CASR; and
  - (b) does so on behalf of a parachute operator (for example, because the person is employed or otherwise engaged by the parachute operator);is not a person to whom the exemption in subsection (2) applies.

#### **5 Certain training in operating an aircraft to facilitate a parachute descent**

- (1) Subsection (3) applies to a person if:
  - (a) the person is providing training in operating an aircraft to facilitate a parachute descent; and

- (b) the training:
  - (i) does not relate to training and standards required for the issue to a pilot of a jump pilot authorisation under section 3.03 of the Part 105 Manual of Standards; and
  - (ii) is not a competency review of the holder of a jump pilot authorisation to perform an activity authorised by that authorisation; and
  - (iii) does not relate to training and standards required for the issue of an authorisation to conduct such a competency review.
- (2) Also, subsection (3) applies to a person if:
  - (a) the person is providing training in operating an aircraft to facilitate a parachute descent; and
  - (b) the training is training to which a provision in Division 61.B.2 of CASR applies.
- (3) The person is exempt from compliance with subregulation 105.065(1) of CASR.

## **6 Aircraft operations—parachute descents not undertaken by tandem or trainee parachutists**

- (1) This section applies to the operator, and the pilot in command, of an aircraft being operated to facilitate a parachute descent, other than a parachute descent by a trainee parachutist or tandem parachutist, or both.
- (2) The operator and the pilot in command are each exempt from compliance with subregulation 105.065(1) of CASR.

## **7 Direction—Jump pilot flight time requirements for helicopters**

- (1) For the purposes of regulation 11.245 of CASR, the pilot in command of a helicopter must not operate the helicopter to facilitate a parachute descent by a trainee parachutist or tandem parachutist, or both, if the pilot does not meet the flight time required by subsection (2).
- (2) The flight time required by this subsection is that the pilot must have at least 10 hours of experience as pilot in command of the type of helicopter being operated.

## **8 Aeroplane parachuting operations (flight manual requirements) exemption**

### **Definitions**

- (1) For sections 8, 9 and 10:

*APF* means the Australian Parachute Federation Ltd, ARN 205322.

*APF form* means the membership application form which must be completed by a parachutist in order to become or remain a member of the APF.

*MTOW* means maximum take-off weight.

*pilot in command* means the pilot in command of an aeroplane in an operation to facilitate a parachute descent under Part 105 of CASR.

*procedures* means the procedures for the pilot in command that are:

- (a) devised by the operator of the aeroplane; and
- (b) contained in:
  - (i) the operator's operations manual, or other similar document, that is available to the relevant Part 105 ASAO and CASA on request; or
  - (ii) the relevant Part 105 ASAO exposition; and

- (c) designed to ensure compliance with the matters mentioned in subsections 9(2), (3) and (4).
- (2) In sections 8, 9 and 10, unless the contrary intention appears, other words and phrases have the same meaning as in Part 91 of CASR.
- (3) All documents mentioned, applied, adopted, or incorporated, in sections 8, 9 and 10 (if any) are such documents as are in force from time to time, as applicable.
- (4) The pilot in command is exempted from compliance with paragraph 91.095(2)(a) of CASR — but only to the extent of the requirements in the aeroplane flight manual (*AFM*) instructions that:
  - (a) limit the maximum number of passengers that may be carried on the aeroplane; and
  - (b) mandate the seating configuration for those passengers; and
  - (c) mandate that those passengers be restrained by seatbelts or shoulder harnesses.

*Note 1* This exemption exempts the pilot in command of an aeroplane being operated to facilitate a parachute descent under Part 105 of CASR, from the obligation to comply with the AFM instructions in relation to the maximum number of passengers that may be carried and the seating configuration of the aeroplane for those passengers. Failure to comply with paragraph 91.095(2)(a) of CASR in these respects would otherwise be an offence.

*Note 2* All persons on the aeroplane, other than crew members, are passengers under the definition of passenger in the CASR Dictionary and, therefore, parachutists are passengers.

*Note 3* Regulation 91.095 of CASR is the subject of a direction under section 5 of *CASA EX67/24 – Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024*. The effect of this direction is altered by subsection 10(4) of this instrument.

- (5) The exemption under subsection (4) is subject to compliance with the conditions mentioned in section 9.

## **9 Conditions for exemption under section 8**

- (1) If the aeroplane has been modified in a manner that affects any of the following:
  - (a) the maximum number of passengers that may be carried on the aeroplane in accordance with the AFM; or
  - (b) the passenger seating, or method of passenger restraint, in accordance with the AFM;
 then the modification must have been approved:
  - (c) by an authorised person or an approved design organisation under regulation 21.437 of CASR; or
  - (d) otherwise in accordance with a Part 21 approval; or
  - (e) by an approval continued in force, according to its terms, under regulation 202.054 of CASR.
- (2) The pilot in command must follow the procedures designed to ensure that the aeroplane:
  - (a) remains within its MTOW; and
  - (b) remains within its centre of gravity limits and requirements at all stages of the operation; and
  - (c) complies with all limits, restrictions and conditions imposed by the approval mentioned in subsection (1).

- (3) Before a flight may commence, the pilot in command must verify that each parachutist has signed an acknowledgement form that specifically states the parachutist has been informed in writing that:
  - (a) the aeroplane seating for parachutists, and the method of parachutist restraint, do not offer the parachutist the same level of safety protection as would otherwise be provided by a forward-facing seat with a seat base, seat back, and seat belt (a *typical seating arrangement*); and
  - (b) consequently, the aeroplane does not offer the parachutists the same level of safety protection during turbulence, or on landing, including an emergency landing, as would otherwise protect passengers provided with a typical seating arrangement.
- (4) The information in writing to be given to a parachutist, and the form for acknowledgement of it required under subsection (3), must be contained within the APF form.
- (5) Subject to subsection (6), the parachutist must be given a copy of the APF form containing the information and acknowledgement with sufficient time before the flight to enable them to read and fully understand the information and the acknowledgement.
- (6) Subsection (5) does not apply if, not more than 12 months before the flight, the parachutist received and signed the APF form.

## 10 Directions—relating to exemption under section 8

- (1) The operator of an aeroplane operated by a pilot in command under the exemption in section 8 (the *operator*) is directed to ensure that the pilot in command complies with the conditions of the exemption under section 9.
- (2) The operator is directed to have, and comply with, procedures as defined in section 8.
- (3) The operator must ensure that before a flight to which section 8 applies:
  - (a) each parachutist for the flight is an APF member who has completed the APF form containing the information and acknowledgement required under section 9 (an *eligible parachutist*); and
  - (b) the person who is performing the duties of Drop Zone Safety Officer for the flight verifies to the pilot in command that each parachutist is an eligible parachutist.

*Note* The APF specifies in its ASAO exposition that APF forms will be retained for a period of 7 years.

- (4) The direction in section 5 of *CASA EX67/24 – Part 91 of CASR – Supplementary Exemptions and Directions Instrument 2024 (CASA EX67/24)* does not apply to any requirement or limitation mentioned in the AFM instructions that is the subject of the exemption under section 8.

*Note* Under section 5 of *CASA EX67/24*, the pilot in command of an aircraft must ensure that any activity in relation to the flight or operation of the aircraft, *whether occurring before, during or after the flight*, complies with the AFM instructions for the activity. Regulation 91.095 of CASR, and the exemption from it under section 8, in effect only apply in relation to the operation of an aircraft *during flight* — leaving a pilot in command subject to the direction under section 5, and the AFM instructions, *before and after a flight*. To be so broadly subject is an indirect expansion of the scope of regulation 91.095 which is not necessary for the purposes of this section, and hence section 5 is relevantly disappplied.

## **11 Repeal**

This instrument (including the directions in it) is repealed at the end of 1 December 2026.

*Note* For regulation 11.250 of CASR, the directions in sections 7 and 10 cease to be in force at the end of 1 December 2026.

## Note to CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023

CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023 (in force under the Civil Aviation Safety Regulations 1998) as shown in this compilation comprises CASA EX105/23—Part 105 (Parachute Operators and Pilots) Instrument 2023 amended as indicated in the Tables below.

### Table of instruments

Year and number	Date of registration on FRL	Date of commencement	Application, saving or transitional provisions
CASA EX105/23— <i>Part 105 (Parachute Operators and Pilots) Instrument 2023</i>	1 December 2023 (see F2023L01600)	2 December 2024 (see s. 2)	—
CASA EX61/25 — CASA EX105/23 and CASA EX67/24 <i>Amendment Instrument 2025</i>	1 July 2025 (see F2025L00817)	1 July 2025 (see s. 2)	—

### Table of Amendments

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

Provision affected	How affected
s. 2	rep. <i>Legislation Act 2003</i> , s. 48D
s. 3	am. F2025L00817
s. 8	rs. F2025L00817
s. 9	ad. F2025L00817
s. 10	ad. F2025L00817
s. 11	ad. F2025L00817