



Australian Government
Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulation 5 of the *Civil Aviation Regulations 1988* and regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]
Pip Spence
Director of Aviation Safety

5 November 2024

Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2024

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PART 1 PRELIMINARY

1 Name of instrument

- (1) This instrument is *Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2024*.

Note This instrument is a modified and expanded remake of *Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2021*. That CAO self-repealed at the end of 11 November 2024.

- (2) This Order may be cited as *Civil Aviation Order 95.54* or *CAO 95.54*.
- (3) A reference in a CASA instrument (being an instrument issued by CASA under a statutory power to issue the instrument) to Section 95.54 of the Civil Aviation Orders is taken to be a reference to this CAO.

2 Commencement

This instrument:

- (a) commences on 12 November 2024; and
- (b) is repealed at the end of 11 November 2027.

3 Table of Contents

The Table of Contents for this Civil Aviation Order (**CAO**) is not part of this CAO. It is for reader guidance only and may be modified or edited in any published version of this CAO.

4 Application

An exemption under this CAO applies in relation to a relevant aircraft only if the pilot in command:

- (a) holds a relevant permit; and
- (b) complies with the conditions of the exemption.

5 Definitions

In this Order:

ABF means the Australian Ballooning Federation.

ASAO has the meaning given by the CASR Dictionary.

CAR means the *Civil Aviation Regulations 1988*, as in force immediately before the commencement of this instrument, unless otherwise specified.

CASR means the *Civil Aviation Safety Regulations 1998*.

CP(B)L is short for commercial pilot (balloon) licence, issued by CASA.

flight radiotelephone operator licence has the meaning given by the CASR Dictionary.

night VFR balloon endorsement means an endorsement to operate a relevant aircraft at night under the visual flight rules.

non-controlled aerodrome endorsement means an endorsement to operate a relevant aircraft below 2 000 ft. above the elevation of a non-controlled aerodrome at, or within 3 NM of, the aerodrome.

Part 91 MOS means the *Part 91 (General Operating and Flight Rules) Manual of Standards 2020*.

Part 105 MOS means the *Part 105 (Parachuting from Aircraft) Manual of Standards 2023*.

Part 131 aircraft has the meaning given by regulation 131.005 of CASR.

Part 131 MOS means the *Part 131 (Balloons and Hot Air Airships) Manual of Standards 2024*.

Part 131 pilot authorisation has the meaning given by the CASR Dictionary.

Part 131 recreational activity has the meaning given by regulation 131.025 of CASR.

Note Such an activity does not include specialised balloon operations, but this CAO also applies to such operations through the definition of **relevant aircraft**.

procedures manual means the *CASA Recreational Ballooning Procedures Manual*, as in force from time to time.

Note The *CASA Recreational Ballooning Procedures Manual* is a modified version of the former ABF operations manual that was in force immediately before 2 December 2023. It is available on the CASA website [Civil Aviation Safety Authority \(casa.gov.au\)](http://CivilAviationSafetyAuthority(casa.gov.au)).

relevant aircraft means a Part 131 aircraft engaged in:

- (a) a Part 131 recreational activity; or
- (b) a specialised balloon operation.

relevant endorsement means a relevant endorsement mentioned in the Table (the **relevant endorsement table**):

- (a) that has not expired, or been cancelled or revoked by CASA; and
- (b) that:
 - (i) before the commencement of this CAO — was issued by CASA, or deemed to be a relevant endorsement, in accordance with *Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2021*; or
 - (ii) before 2 December 2023 — was issued by the ABF; or
 - (iii) is issued by CASA in accordance with this CAO.

Relevant endorsement table

Item	Relevant endorsement
1	Gas balloon endorsement
2	Hot air airship endorsement
3	Night VFR balloon endorsement
4	Non-controlled aerodrome endorsement
5	Endorsement to operate a balloon that has an envelope capacity greater than 120 000 cubic feet
6	Endorsement to carry and release a hang glider

Note Relevant endorsements apply for relevant aircraft. See the definition of **relevant aircraft**.

relevant endorsement table: see the definition of **relevant endorsement**.

relevant permit means a permit mentioned in the Table (the **relevant permit table**):

- (a) that has not expired, or been cancelled or revoked by CASA; and
- (b) that:
 - (i) before the commencement of this CAO — was issued by CASA, or deemed to be a relevant permit, in accordance with *Civil Aviation Order 95.54 (Part 131 Recreational Activity and Specialised Balloon Operations) Instrument 2021*; or

(ii) is issued by CASA in accordance with this CAO.

Relevant permit table

Item	Relevant permit
1	Student pilot (balloon) permit
2	Private pilot (balloon) permit
3	Radio operator (balloon) permit
4	Instructor private pilot (balloon) permit Grade 2
5	Instructor private pilot (balloon) permit Grade 1
6	Examiner private pilot (balloon) permit

Note Relevant permits apply for relevant aircraft. See the definition of *relevant aircraft*.

relevant permit table: see the definition of *relevant permit*.

relevant permit to operate means a permit mentioned in item 1, 2, 4, 5 or 6 of the relevant permit table.

specialised balloon operation has the meaning given by regulation 131.020 of CASR.

Note Under regulation 131.325 of CASR, the operator of a Part 131 aircraft that involves a specialised balloon operation must hold an approval under regulation 131.035 and operate the aircraft in accordance with the conditions of the approval.

PART 2 RELEVANT PERMITS

6 Flight crew licence not required

- (1) For paragraph 20AB(1)(b) of the *Civil Aviation Act 1988*, the following are taken to constitute an authorisation to perform a duty essential to the operation of a relevant aircraft without holding a flight crew licence:
 - (a) the holding of a relevant permit to operate that is not a flight crew licence;
 - (b) compliance with the requirements set out in this CAO.
- (2) However, if a person makes airborne radio transmissions on aeronautical HF frequencies, the person must:
 - (a) hold a current flight radiotelephone operator licence; or
 - (b) hold a radio operator (balloon) permit; or
 - (c) be authorised to make the transmissions under Part 61 or Part 64 of CASR.

7 Application for, and grant of, a relevant permit

- (1) A person may apply in writing to CASA for a relevant permit in accordance with this CAO.
- (2) CASA may grant the relevant permit, with or without conditions, but:
 - (a) only in accordance with the applicable requirements under the procedures manual; and
 - (b) subject to paragraph (3) — only if the applicant has successfully completed all applicable theory and practical training for the relevant permit in accordance with the syllabus in the procedures manual.
- (3) Despite paragraph (2), CASA may issue a relevant permit that is a private pilot (balloon) permit or a radio operator (balloon) permit if the applicant holds an

- overseas qualification that CASA approves in writing as being equivalent to the relevant permit.
- (4) To avoid doubt, Subparts 11.B and 11.BA of CASR are to be taken to apply for the purposes of an application for a relevant permit, as if the permit were an authorisation.
 - (5) For the purposes of this subsection, an applicant is deemed to include a person:
 - (a) who intends to conduct a Part 131 recreational activity in Australia, in a relevant aircraft, over a period not longer than 30 days; and
 - (b) who holds current qualifications equivalent to both a private pilot (balloon) permit and a radio operator (balloon) permit that was granted by the national aviation authority of a Contracting State; and
 - (c) for whom the procedures manual contains specific requirements which the person must satisfy to be granted a private pilot (balloon) permit and a radio operator (balloon) permit under this CAO.

PART 3 RELEVANT ENDORSEMENTS

8 Application for, and grant of, a relevant endorsement

- (1) A person who holds a relevant permit to operate may apply in writing to CASA for a relevant endorsement in accordance with this CAO.
- (2) CASA may grant the relevant endorsement, with or without conditions, but:
 - (a) only in accordance with the applicable requirements under the procedures manual; and
 - (b) only if the applicant has successfully completed all applicable theory and practical training for the relevant endorsement in accordance with the syllabus in the procedures manual.
- (3) To avoid doubt, Subparts 11.B and 11.BA of CASR are to be taken to apply for the purposes of an application for a relevant endorsement, as if the endorsement were an authorisation.
- (4) For the purposes of this subsection, an applicant is deemed to include a person:
 - (a) who intends to conduct a Part 131 recreational activity in Australia, in a relevant aircraft, over a period not longer than 30 days; and
 - (b) who holds current qualifications equivalent to a relevant endorsement that was granted by the national aviation authority of a Contracting State; and
 - (c) for whom the procedures manual contains specific requirements which the person must satisfy to be granted a relevant endorsement under this CAO.
- (5) CASA must not grant an endorsement to operate a balloon that has an envelope capacity greater than 260 000 cubic feet unless the applicant:
 - (a) holds a relevant permit; and
 - (b) either:
 - (i) holds a CP(B)L with a restricted Class 2 (R) endorsement (but limited to an envelope capacity of not greater than 400 000 cubic feet); or
 - (ii) holds a CP(B)L with an unrestricted Class 2 (U) endorsement.

Note A **Class 2 (R) endorsement** means a restricted Class 2 balloon endorsement. A **Class 2 (U) endorsement** means an unrestricted Class 2 balloon endorsement. See paragraph 2.2 of Civil Aviation Order 40.7 and section 27.05 of the *Part 131 (Balloons and Hot Air Airships) Manual of Standards 2024*.

PART 4 EXEMPTIONS

9 Exemption — pilot maintenance on relevant aircraft

- (1) For a relevant aircraft, a person is exempted from compliance with a requirement of subparagraph 42ZC(4)(db)(i) of CAR.
- (2) Paragraph (1) does not affect subparagraphs of 42ZC(4)(db)(ii) and (iii) of CAR.
- (3) The exemption under paragraph (1) is subject to the condition that the person who may carry out maintenance in Australian territory on a balloon that is both a relevant aircraft and a class B aircraft must be the holder of one of the following that is valid for the aircraft:
 - (a) a commercial pilot (balloon) licence;
 - (b) a relevant permit to operate, other than a student pilot (balloon) permit.

Note 1 The requirements of subparagraphs 42ZC(4)(db)(ii) and (iii) of CAR must also be complied with, namely:

- (a) the maintenance is specified in Part 2 of Schedule 8 of CAR; and
- (b) the maintenance is carried out in accordance with any conditions prescribed by legislative instrument issued by CASA for the purposes of this subparagraph.

The maintenance is colloquially referred to as pilot maintenance.

Note 2 Under regulation 2 of CAR, a class B aircraft is one that is not a class A aircraft. The class A aircraft definition excludes balloons. The effect of this subsection is that a private pilot (balloon) permit *without a relevant endorsement* is limited to a Part 131 aircraft with an envelope size of no greater than 120 000 cubic feet. Consequently, for such a pilot, pilot maintenance under this subsection is limited to a Part 131 aircraft with an envelope size of no greater than 120 000 cubic feet. However, if the pilot has an endorsement for a Part 131 aircraft with an envelope size of greater than 120 000 cubic feet, then the pilot may carry out pilot maintenance on that larger aircraft.

10 Exemptions — Part 131 pilot authorisation

- (1) The pilot in command of a relevant aircraft in a Part 131 recreational activity is exempted from compliance with the requirement in a **relevant provision** to hold a Part 131 pilot authorisation mentioned in paragraph (c) of the definition of **Part 131 pilot authorisation**.

Note Paragraph (c) of the definition of a **Part 131 pilot authorisation** in the CASR Dictionary refers to an authorisation from a Part 131 ASAO that authorises the holder to operate a Part 131 aircraft. That element of the definition is currently inoperative because the relevant ASAO has withdrawn and no other ASAO has assumed the role.

- (2) Each exemption under this subsection is subject to the applicable conditions under subsections 11 and 12.
- (3) For paragraph (1), each of the following provisions of CASR is a **relevant provision**:
 - (a) subparagraph 91.155(1)(b)(iv) (manipulate flight controls);
 - (b) subparagraph 91.155(2)(b)(iv) (manipulate flight controls);
 - (c) subparagraph 91.625(1)(b)(iv) — to the extent that the required authorisation would otherwise be a radio operator (balloon) permit (use of radio);
 - (d) subparagraph 91.640(1)(b)(iv) — to the extent that the required authorisation would otherwise be a radio operator (balloon) permit (radio listening watch);
 - (e) the chapeau of paragraph 91.715(2)(c) (simulating instrument failure);
 - (f) subregulation 105.100(3) — but only to the extent that section 5.57 of the Part 105 MOS requires compliance with an ASAO exposition for safe parachute descents;

Note The procedures manual addresses the safety of relevant parachute descents. See also subparagraph 11(1)(b).

- (g) subregulation 105.105(1) (restraints in parachute operations);
- (h) subparagraph 105.155(2)(b)(i) (parachute descent from balloons);
- (i) subregulation 131.245(2) (pilot to be authorised);
- (j) subregulation 131.285(1) — but only to the extent of the requirement under paragraph 6.04(2)(b) of the Part 131 MOS (keeping a pilot logbook);
Note But see the condition in paragraph 12(2).
- (k) subparagraph 131.315(2)(b)(ii) (flights at night);
Note But see the condition in paragraph 12(3).
- (l) paragraphs 131.353(1)(b), (c) and (d) — but only to the extent of paragraphs 15.06(1)(c) and 15.08(1)(c) of the Part 131 MOS (controlled aerodromes, etc.);
Note But see the conditions under paragraph 11(2) (for required qualifications) and paragraph 12(4) (regarding the radio and transponder requirements that apply under Chapter 26 of the Part 131 MOS).
- (m) subregulation 131.360(2) — but only to the extent of the requirement under paragraph 17.02(3)(c) of the Part 131 MOS (non-controlled aerodromes);
Note But see the condition in paragraph 12(5).
- (n) subparagraph 131.565(2)(a)(iii) (pilot qualifications);
- (o) paragraph 131.565(2)(b) — but only to the extent of the requirement under subsection 27.02(3) of the Part 131 MOS (training and checking requirements — CP(B)L holder);
Note But see the condition in paragraph 12(6).
- (p) paragraph 131.565(2)(b) — but only to the extent of the requirement under subsection 27.03(2) of the Part 131 MOS (training and checking requirements — recreational pilot);
Note But see the condition in paragraph 12(7).
- (q) paragraph 131.565(2)(c) — but only to the extent of the requirement under subparagraph 27.06(1)(a)(ii) of the Part 131 MOS (VFR recency requirements for night VFR flight);
Note But see the condition in paragraph 12(8).
- (r) paragraph 131.565(2)(c) — but only to the extent of the requirement under paragraph 27.06(2)(b) of the Part 131 MOS (instructor qualifications for night VFR check);
Note But see the condition in paragraph 12(9).
- (s) paragraph 131.580(1)(b) (Part 131 activities to be authorised);
- (t) paragraph 131.580(3)(b) (Part 131 activities to be authorised);
- (u) regulation 131.585 — but only to the extent that the regulation requires a person to hold the authorisation of a Part 131 ASAO in order to carry outside a Part 131 aircraft, and release, a hang glider.

Note 1 But see the condition in paragraph 12(10).

Note 2 The phrases in brackets in the subparagraphs are merely an informal reader's guide.

PART 5 CONDITIONS ON EXEMPTIONS

11 General conditions

- (1) Each exemption under subsection 10 is subject to the condition that the operator and the pilot in command, as applicable, of a relevant aircraft must comply with the following requirements:
 - (a) subject to paragraph (2), and paragraph 12(6), the relevant aircraft may only be operated by a person who holds one of the following to operate the aircraft in a Part 131 recreational activity:
 - (i) a CP(B)L;
 - (ii) a certificate of validation issued under Part 5 of CAR;
 - (iii) a relevant permit to operate the aircraft, including the relevant endorsements applicable for the activity;
 - (b) subject to subparagraph (c), the pilot of a relevant aircraft must conduct the Part 131 recreational activity in accordance with any applicable procedures under the procedures manual;

Note This includes, for example, procedures for carriage of hang gliders, VFR flight by night, recency requirements.
 - (c) the relevant aircraft may only be operated in accordance with the rules, regulations and directions that:
 - (i) are specified in the procedures manual; and
 - (ii) apply to the operation of the aircraft.
- (2) For the exemption under subparagraph 10(3)(l) (controlled aerodromes, etc.), the relevant aircraft may only be operated by a person who holds:
 - (a) a relevant permit to operate, including the relevant endorsements applicable for the activity; and
 - (b) a current pilot licence with an aircraft category rating, under Part 61 of CASR, with privileges that include operating at a controlled aerodrome or in a controlled area or a control zone; and
 - (c) a valid flight review for the aircraft's class rating under Part 61 of CASR.

12 Particular conditions

- (1) It is a condition of the exemption under subparagraph 10(3)(e) (simulating instrument failure) that the pilot in command must otherwise comply with the requirements in subparagraphs 91.715(2)(c)(i) and (ii).
- (2) It is a condition of the exemption under subparagraph 10(3)(j) (keeping a pilot logbook) that the pilot in command must keep the information in a pilot personal logbook or in accordance with the procedures manual.
- (3) It is a condition of the exemption under subparagraph 10(3)(k) (flights at night) that the pilot in command must hold a night VFR balloon endorsement.
- (4) It is a condition of the exemption under subparagraph 10(3)(l), (controlled aerodromes, etc.) that to operate a relevant aircraft at a controlled aerodrome, or in a controlled area or a control zone, the operator and the pilot in command must comply with the applicable requirements under Chapter 26 of the Part 131 MOS.

Note Chapter 26 deals with radio and transponder requirements.
- (5) It is a condition of the exemption under subparagraph 10(3)(m) (non-controlled aerodromes) that the pilot in command must hold a non-controlled aerodrome endorsement.

- (6) It is a condition of the exemption under subparagraph 10(3)(o) (training and checking requirements — CP(B)L) that the pilot in command must hold a CP(B)L or a certificate of validation, and comply with the applicable training and checking requirements in the procedures manual.
- (7) It is a condition of the exemption under subparagraph 10(3)(p) (training and checking requirements — recreational pilot) that the pilot in command must comply with the applicable training and checking requirements in the procedures manual.
- (8) It is a condition of the exemption under subparagraph 10(3)(q) (VFR recency requirements for night VFR flight) that the pilot in command must comply with the applicable VFR recency requirements in the procedures manual.
- (9) It is a condition of the exemption under subparagraph 10(3)(r) (instructor qualifications for night VFR flight) that the instructor must hold a night VFR balloon endorsement issued by CASA.
- (10) It is a condition of the exemption under subparagraph 10(3)(u) that the pilot in command must hold an endorsement to carry and release a hang glider.
- (11) To avoid doubt, subject to the effect of any exemption under this CAO, this CAO does not otherwise affect any applicable requirements that an operator or pilot in command of a relevant aircraft must comply with in accordance with the CAR or CASR, as is in force from time to time.

Note See, for example, applicable provisions under CASR Part 91 and the Part 91 MOS and CASR Part 131 and the Part 131 MOS. If there is a conflict between any of the provisions in the procedures manual and a provision under the CAR or CASR, the latter takes priority.

PART 6 DIRECTION

13 Part 131 recreational activity

The operator and the pilot in command of a Part 131 aircraft must not operate the aircraft in a Part 131 recreational activity unless the operation is conducted under and in accordance with this instrument.
