

**Subpart D — Commercial Operations – General****137.153 Issue of certificate**

Subject to section 9 of the Act an applicant is entitled to an agricultural aircraft operator certificate if the Director is satisfied that the applicant—

- (1) has engaged a senior person as the Chief Executive who has the authority to ensure that all activities can be financed and carried out in accordance with this Part; and
- (2) has engaged a senior person as the Chief Pilot who holds a current chemical rating if applicable and—
  - (i) has held or holds a current Grade 1 agricultural rating issued under Part 61; and
  - (ii) has practical experience, acceptable to the Director, appropriate for the type of operation being conducted; and
- (3) the applicant and the senior person or senior persons required under paragraphs (1) and (2) are fit and proper persons; and
- (4) the granting of the certificate is not contrary to the interests of aviation safety.

**137.155 Revoked****Subpart D — Commercial Operations – General****137.153 Issue of certificate**

An applicant is entitled to an agricultural aircraft operator certificate if the Director is satisfied that, in accordance with section 9 of the Act,—

- (1) the applicant has employed, contracted, or otherwise engaged a senior person identified as the chief executive who has the authority to ensure that all activities can be financed and carried out in accordance with this Part; and
- (2) the applicant has employed, contracted, or otherwise engaged a senior person or persons responsible to the chief executive who are responsible for—
  - (i) agricultural operations including flight operations and the supporting ground operations (chief pilot);
  - (ii) the system for safety management required under rule 137.155; and
- (2A) the senior persons referred to in paragraph (2) meet the qualifications, competency and experience requirements specified in Appendix C; and
- (3) the applicant and the senior persons required by paragraphs (1) and (2) are fit and proper persons; and
- (4) the granting of the certificate is not contrary to the interests of aviation safety.

**137.155 Safety management**

An applicant for an agricultural aircraft operator certificate must establish, implement, and maintain a system for safety management in accordance with rule 100.3.

**137.160 Agricultural aircraft operator safety management documentation**

(a) An applicant for an agricultural aircraft operator certificate must provide the Director with a document containing—

- (1) the following information relating to the system for safety management required by rule 137.155:
  - (i) all of the documentation required by rule 100.3(b);
  - (ii) for an applicant that is not applying for a renewal of an agricultural aircraft

operator certificate, an implementation plan that describes how the system for safety management will be implemented; and

- (2) the title, name, duties, and responsibilities of the senior person responsible for the system for safety management; and
- (3) information that identifies the lines of safety responsibilities within the organisation.

(b) The chief executive of the applicant's organisation must provide the Director with a statement signed by the chief executive on behalf of the organisation confirming that the information provided under paragraph (a)(1)—

- (1) demonstrates the organisation's means and methods for ensuring ongoing compliance with Part 100; and
- (2) is required to comply with Part 100.

## Subpart E — Commercial Operations – Operating Requirements

### 137.209 Changes to operations

The holder of an agricultural aircraft operator certificate must—

- (1) notify the Director in writing of any change that affects the currency of any information required by form CAA 24137/01; and
- (2) obtain prior acceptance from the Director before changing the **Chief Executive** or **Chief Pilot**.

## Subpart E — Commercial Operations – Operating Requirements

### 137.209 Changes to operations

A holder of an agricultural aircraft operator certificate must—

- (1) notify the Director in writing of any change that affects the currency of any information required by form CAA 24137/01; and
- (2) obtain prior acceptance from the Director before changing—
  - (i) the **chief executive** or **any person referred to in rule 137.153(2)**; or
  - (ii) **the system for safety management, if the change is a material change.**

## Subpart G — Transition Provisions

### 137.301 Transition for agricultural aircraft operator certificate holders and applicants

(a) This rule applies to each—

- (1) agricultural aircraft operator certificate holder:

- (2) agricultural aircraft operator certificate applicant.
- (b) Before 1 February 2021, an organisation to which this rule applies—
  - (1) is not required to comply with—
    - (i) rule 137.153(2)(ii);
    - (ii) rule 137.155;
    - (iii) rule 137.160; but
  - (2) By 30 July 2018 must submit to the Director with the accompanying completed CAA form an implementation plan that—
    - (i) includes a proposed date for implementation of the system for safety management; and
    - (ii) outlines how the organisation plans to implement the system for safety management required under rule 137.155.
- (c) 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.
- (d) To avoid doubt, the date for implementation is the date the Director approves the system for safety management.
- (e) In setting the date under rule 137.301(c)(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;

Appendix C — Revoked

- (6) the date for implementation must not be later than 1 February 2021.
- (f) If the organisation is an applicant for an agricultural aircraft operator certificate it must submit its application for such a certificate together with the plan for implementation of the system for safety management.
- (g) This rule expires on 1 February 2021.

Appendix C

**Table C.1 Senior person responsible for agricultural operations (chief pilot)**

Document required	Has held, or holds a current grade 1 agricultural rating. Holds a current chemical rating if applicable.
Experience	Has practical experience acceptable to the Director appropriate for the type of operation being conducted.

**Table C.2 Senior person responsible for the system for safety management**

Competency	Demonstrate competency relevant to systems of safety management. 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.