


Irish Aviation Authority The Times Building 11–12 D’Olier Street Dublin 2, Ireland www.iaa.ie Safety Regulation Division	Údarás Eitlíochta na hÉireann Foirgneamh na hAmanna 11–12 Sráid D’Olier Baile Átha Cliath 2, Éire Rannán na Rialachán Sábháilteachta	No. OAM 04 Revision 01 Date 12.05.20	
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Advisory Memorandum to Operators and Pilots of Aircraft when flown in support of Parachute Dropping

1. Introduction

The purpose of this Operations Advisory Memorandum (OAM) is to notify operators and pilots of aircraft used in support of parachute operations about the applicable Aircraft Operations Regulations and Rules of the Air. This OAM only relates to the provisions in the following EU aviation regulations without prejudice to any other regulation which may be applicable:

- a) *Commission Reg. (EU) No 965/2012 as amended laying down technical requirements and administrative procedures related to air operations (hereinafter the AIR OPS regulation)*
- b) *Commission Implementing Reg. (EU) No 923/2012 of 26 September 2012 laying down the common Rules of the Air and operational provisions regarding services and procedures in air navigation (hereinafter **SERA** (Standardised European Rules of the Air))*

Note: This OAM is a guidance document, highlighting some of the pertinent areas of the above regulations as they may be applicable to parachute dropping aircraft operations and does not in any way purport to replace these regulations or absolve operators and pilots from their respective responsibilities to be fully familiar with these regulations. In all cases the actual requirements of the regulations are applicable.

2. Commercial v Non-Commercial Operations

The Basic Regulationⁱ states **“a ‘commercial operation’ shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator;”**


The AIR OPS regulations contain provisions for both commercial and non-commercial operations. Aircraft operators and pilots of aircraft used in support of parachuting activities are responsible for adhering to the rules that are applicable to their operation.

In either case, when an aircraft is operated for the purpose of transporting a parachutist for a parachute jump, the operation is considered to be a ‘Specialised Operation’. This means that the aircraft operation is subject to either:

- a) AIR OPS Annex VIII PART-SPO - Commercial Specialised Operations; or
- b) AIR OPS Annex VII PART-NCO - Non-Commercial Specialised Operations

3. Commercial Specialised Operations (SPO)

The requirements for commercial specialised operators are provided for in **Annex VIII** of the AIR OPS regulations. This Annex applies to any commercial specialised operation where the aircraft is used for specialised activities such as parachute droppingⁱⁱ. The competent authority shall be the authority designated by the Member State in which the operator has its principal place of business or is residingⁱⁱⁱ.

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4. Complex Motor-Powered Aircraft

The operator of complex motor-powered^{iv} aircraft engaged in non-commercial operations or non-commercial specialised operations, and the commercial specialised operator shall make an SPO Declaration^v to the competent authority using the applicable Declaration Form.

5. Non-Commercial Specialised Operations

Operators of other-than-complex motor-powered aircraft, involved in non-commercial operations, including non-commercial specialised operations (i.e. for the purpose of this OAM, parachute dropping), shall operate the aircraft in accordance with the provisions specified in Annex VII^{vi}. In this case, (i.e. Non-Commercial Specialised Operations) the competent authority shall be the authority designated by the Member State where the aircraft is registered^{vii}.

6. Marginal Activity


Certain operations with other-than-complex motor-powered aircraft may be conducted in accordance with Annex VII under the conditions provided for in the AIR OPS regulation, article 4. For the purpose of this article the term **marginal activity**^{viii} should be understood as representing a very minor part of the overall activity of an organisation, mainly for the purpose of promoting itself or attracting new students or members. An organisation intending to offer such flights as regular business activity is not considered to meet the condition of marginal activity. Also, flights organised with the sole intent of generating income for the organisation are not considered to be a marginal activity.

7. Rules of the Air

Parachute descents, (other than emergency descents), shall only be made in accordance with the provisions of SERA^{ix}. It is the responsibility of the aircraft operator and the Pilot in Command (PIC), to ensure aircraft operations are conducted according to EU regulations and according to any relevant information, advice and, or clearance from the appropriate air traffic services unit. This responsibility includes ensuring accurate information is promulgated in the AIP and that parachute dropping areas are notified to other airspace users by NOTAM or other means as may be appropriate.

8. Pilot and Parachutist Qualifications

- a) **Pilots:** The Pilot in Command (PIC) must be aware of his or her responsibilities and authority, as appropriate, to the operation^x. It is also the responsibility of the PIC to understand the privileges and validity of his or her flight crew licence. These privileges are not the subject of this memorandum.
- b) **Parachutists (Task Specialists^{xi}):** The AIR OPS regulation refers to parachutists and parachutist instructors as “**Task Specialists**” when they are being transported in an aircraft for the purpose of a parachute drop. It is the responsibility of the aircraft operator and/or the PIC to ensure that Task Specialists are appropriately briefed as required. Additionally, task specialists shall be responsible for the proper execution of their on-board duties.

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- c) **Carriage of Persons on Specialised Operations Flights^{xii}**: The Air Ops regulation stipulates that for flights taking place immediately before, during or immediately after specialised operations and directly connected to those operations, except for crew members, persons other than those indispensable to the mission shall not be carried on board.
- d) The technical aspects of parachute jumping (i.e. the activities of the parachutist after disembarking the aircraft) and the local qualifications of a parachutist or a parachutist instructor and the certification of their parachutes and equipment are not regulated by European Aviation Regulations and are outside the oversight remit of the IAA. This is without prejudice to other aspects of Irish or European Union law which may apply to the provision of parachute jumping services by a club or a company to its members or to members of the public.

9. Air Ops regulation Definitions:

‘crew member’ means a person assigned by an operator to perform duties on board an aircraft;

‘task specialist’ means a person assigned by the operator or a third party, or acting as an undertaking, who performs tasks on the ground directly associated with a specialised task or performs specialised tasks on board or from the aircraft;

This memorandum replaces OAM 04 at Issue 00 which should be discarded.

ⁱ REGULATION (EC) No 216/2008 of the European Parliament and of the Council February 2008

ⁱⁱ AIR OPS SPO.GEN.005 Scope

ⁱⁱⁱ AIR OPS SPO.GEN.100 Competent authority

^{iv} REGULATION (EC) No 216/2008 of the European Parliament and of the Council February 2008 Article 3 (j)

^v AIR OPS ORO.DEC.100 Declaration

^{vi} AIR OPS Article 5, paragraph (4)

^{vii} AIR OPS NCO.GEN.100 Competent authority

^{viii} AIR OPS GM2 Article 6.4a(c) Derogations

^{ix} SERA.3125 Parachute descents

^x SPO.GEN.107 & NCO.GEN.105 Pilot-in-command responsibilities and authority

^{xi} AIR OPS SPO.GEN.106 & NCO.SPEC.120 Task specialists responsibilities

^{xiii} AIR OPS Article 5, paragraph (7)