

Name: UK CAA			
Document: CRD a.1 – Explanatory Note			
Reference		Proposal / Comment	Justification
Page No.	Paragraph No.		
20	71	<p>“Local operations”. According to the comment, the term ‘local operations’ is no longer used. However, the term still appears at the following paragraphs:</p> <p>AMC1-CAT.OP.AH.175(a) and</p> <p>AMC1-CAT.OP.AH. 281</p> <p>Revision of paragraphs is required.</p>	Completeness.
28	99	<p>It is stated that rules “which contained provisions as “acceptable to the authority” have been consistently redrafted through all Subparts as “the operator shall specify in the operations manual ...”. The Agency adopted this approach in order to specify a defined procedure for how such items should be brought to the attention of the competent authority.”</p> <p>It is not evident from the text which has been revised in this way that there is also a defined procedure for such items should be brought to the attention of the competent authority AND that the data must have the</p>	Clarification.

		<p>competent authority's approval. For example in CAT.POL.A.105 General paragraph (b) it now states:-</p> <p><i>The approved performance data contained in the aircraft flight manual (AFM) shall be used to determine compliance with the requirements of the appropriate chapter, supplemented as necessary with other data as prescribed in the relevant chapter. <u>The operator shall specify other data in the operations manual.</u></i></p> <p>Nowhere does it state that this data must be brought to the attention of the competent authority, for its approval. This must be made explicitly clear.</p>	
39	166	<p>JAR-OPS 3 at Appendix 1 to JAR-OPS 3.005(c) recognised that for operations without an assured safe forced landing, including at Public Interest sites or over hostile environments outside congested areas, there was need for helicopters certificated in Category A to be approved to conduct momentary flight through the height/velocity (H/V) envelope, as determined by CS 29.1517 (or equivalent), despite any such limitation in their FM. Whilst it is appreciated that such a provision may be at odds with the Essential Requirements, the fact is that helicopters conducting such operations will inevitably require to have momentary incursions</p>	<p>Recognition of established practices and procedures from JAR-OPS 3, conducted in a safe manner and controlled through a recognised approval process.</p>

		<p>into the H/V envelope during their landing and take-off phases.</p> <p>The way forward indicated by EASA at the Explanatory Note, is not considered a practical solution to this conundrum in the short term and a more direct approach is needed if certain helicopter operations are not to be excluded, including some offshore flights to helidecks.</p> <p>The approval to operate without an assured safe forced landing capability at CAT.OP.H.305 already encompasses the approval for Cat A helicopters to conduct momentary flight through the H/V diagram as necessary and should be accepted as an acceptable method of controlling operations in this essential area without further regulatory change.</p>	
52	230	<p>Paragraph 230 requests comment concerning the removal of “harness” and in these instances replacing that word with “upper torso restraint”.</p> <p>The UK CAA view is that the proposed changes should be included in the final Opinion of the Agency and not deferred to a “future rulemaking task”.</p> <p>However, if the rule as proposed is included in the final Opinion and becomes a Rule, activity in this area should also be part of a future rule-making task.</p>	<p>The accident which resulted in the recommendation took place on 15 March 2005 with the Recommendation (to the UK CAA) published in November 2006 (AAIB Report 2/2006).</p> <p>If the rule as proposed is not included, some 6 years after it was first proposed, there will no pressure on European operators to ensure that, where necessary, occupants of certain seats are provided with upper torso restraint which could enable them to survive in certain accidents.</p> <p>Nevertheless, operators who cannot meet the rule are still able to request derogations from the rule through the Article 14 process. Once a derogation</p>

			<p>has been approved it can be used by any operator which will assist in creating the desired “level playing field”.</p> <p>However, since the report (and its associated report into “upper torso restraint” was published), there have been advances in technology concerning accident survivability. One such advance is the fitment of “air bags” to road vehicles and it is understood that one aviation authority is investigating whether such technology could be easily retro-fitted to aircraft thus providing a form of “upper torso restraint” by a means other than a “harness”. It is for this reason that further investigation and possible further rule making is thought necessary.</p>
59	264	<p>Whilst EASA has made its position regarding the provision of a special authorisation for “Offshore Operations” clear, here and in additional correspondence, the matter remains unresolved and of concern to the CAA. Member States who have significant interest and experience in regulating CAT operations to offshore sites, particularly in hostile environments, have expressed their wish to have the current Op Spec E12 reinstated and to use the offered draft SPA, drawn from within the OPS.OR and OPS.CAT areas, as a means of coordinating the various important requirements that an operator must meet. The Op Spec was also referred to at Appendix 1 to JAR-OPS 3.175 as a form of special authorisation/approval.</p> <p>The suggestion that the matter be dealt with by a</p>	<p>The provision of a Special Authorisation for Offshore operations could be limited to CAT operations and would reflect the current procedures, adopted by many member states, covered by JAR-OPS Joint Implementation Procedures (JIPS) as Op Spec E12.</p>

		<p>future rule making group is considered unnecessary for CAT operations but might be needed if it was considered appropriate for other, wider commercial activities that have not been subject to certification in the past to have some form of proportionate special approval.</p> <p>It is recommended that the proposed SPA for 'Offshore Operations' be introduced but limited to CAT operations only until use for wider commercial operations has been justified.</p>	
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