

Executive Director Decision

2016/005/R

of 23 February 2016

closing rulemaking task RMT.0132 & RMT.0515 (27&29.027)

‘Helicopter height-velocity (H-V) limitations’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(a) and (c) of Regulation (EC) No 216/2008, issue opinions addressed to the European Commission, and certification specifications, including acceptable means of compliance, as well as any guidance material for the application of Regulation (EC) No 216/2008 and its implementing rules.
- (2) When transferring the requirements of JAR-OPS 3 into Regulation (EU) 965/2012², the alleviation to allow helicopter flights to momentarily penetrate the H-V envelope during take-off and landing when operationally necessary was not transposed for all helicopters.
- (3) Operators have been granted exemptions according to Article 14(4) of Regulation (EC) No 216/2008 in order to carry on flying these helicopters.
- (4) The Agency issued Notice of Proposed Amendment 2014-19 proposing to amend Regulation (EU) No 965/2012 and Certification Specifications, in order to allow flights to penetrate the H-V envelope when operationally needed and to terminate the exemptions.
- (5) In view of the comments received and considering the internal deliberations that took place, the Agency decided to propose a change to Annex IV to Regulation (EC) No 216/2008, which is included in the proposal of the European Commission for a revision of Regulation (EC) No 216/2008 as proposed by Commissioner Violeta BULC (COM(2015) 613 final; 2015/0277 (COD))³. Should the proposal be adopted by the European Parliament and the Council,

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p.1).

³ <https://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-613-EN-F1-1.PDF>



amendments to Regulation (EU) No 965/2012, to certification specifications, acceptable means of compliance and guidance material will no longer be required,

HAS DECIDED:

Article 1

Rulemaking task RMT.0132 & RMT.0515 (27&29.027) 'Helicopter height-velocity (H-V) limitations' is hereby closed without issuing an opinion to amend Regulation (EU) No 965/2012² and without an amendment to CS-27 or CS-29.

Should the proposed amendment to Regulation (EC) No 216/2008 not be adopted by the European Parliament and the Council, the Agency will resume work on the above-mentioned rulemaking task.

Article 2

This Decision shall be published in the Official Publication of the Agency.

Done at Cologne, on 23 February 2016.

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

