



TERMS OF REFERENCE

Task Nr: RMT.0409/0410 (OPS.093(a) +(b))

Issue: 1

Date: 7 October 2011

Regulatory reference: Draft Regulation on Air Operations ¹
Annex I Definitions
Annex II Part-ARO
Annex III Part-ORO
Annex IV Part CAT
Annex V Part-SPA
Annex VI Part-NCC
Annex VII Part-NCO
Annex VIII Part-SPO
Draft Acceptable Means of Compliance (AMC) and Guidance Material (GM) on Air Operations, Annexes I - VIII².

Reference documents:

1. Subject: Offshore Helicopter Operations

2. Problem / Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

A number of Member States and industry stakeholders where offshore helicopter operations are conducted do not consider the currently proposed Annex IV (Part-CAT) of draft regulation on Air Operations to reflect the necessary levels of safety that are maintained under JAR-OPS 3 and additional national rules.

The same parties express a need for a dedicated Subpart to Annex V (Part-SPA) of draft regulation on Air Operations where such operations would be subject to a specific approval, and where all elements of helicopter offshore operations would be described.

Some Member States currently impose additional conditions for commercial air transport helicopter offshore operations and issue a separate approval for operators. Such conditions and approvals are not reflected in the proposed Implementing Rules for air operations. Nevertheless, the proposed Cover Regulation for air operations in Art. 6(5) allows Member States to continue issuing such approvals under certain conditions.

¹ Opinion No 04/2011 of the European Aviation Safety Agency of 1 June 2011 for a Commission Regulation establishing Implementing Rules for air operations contains DEF, Part-ARO, Part-ORO, Part-CAT, Part-SPA. Available under <http://www.easa.europa.eu/agency-measures/opinions.php>. The Opinions for Part-NCC/NCO/SPO will be published in 2012.

² The Agency's Decision can only be published after the Commission Regulation has been amended based on Opinion No 04/2011. Therefore, for the resulting text at this stage see Comment Response Document (CRD), dated 25 November 2010, to Notice of Proposed Amendment (NPA) 2009-02B for an Agency Opinion on a Commission Regulation establishing the Implementing Rules for air operations of Community operators and draft Decision of the Executive Director of the European Aviation Safety Agency on Acceptable Means of Compliance and Guidance Material related to the Implementing Rules for air operations of Community operators. Available under <http://easa.europa.eu/rulemaking/r-archives.php> and <http://easa.europa.eu/rulemaking/comment-response-documents-CRDs-and-review-groups.php>. The CRD for SPO is not published yet.

Such measures address commercial air transport only; although non-commercial and specialised operations (aerial work) are conducted in the same environment and exposed to the same risk, Member States do not currently impose additional conditions.

Moreover, the issuance of national rules and approvals in this area does not contribute to a common safety level and harmonised implementation.

Studies conducted in the USA and Norway show that the industry is fully aware that the use of new technology combined with operational requirements will enhance safety in offshore helicopter operations.

3. Objective:

To develop regulatory requirements (IR and AMC/GM) to harmonize the rules for offshore helicopter operations at EU level to ensure a level playing field whilst ensuring that the necessary levels of safety are maintained. This includes the following:

- To assess which CAT IRs need to be amended and complemented taking into account the situation in Member States as well as results of the above mentioned studies.
- To assess if all offshore-related provisions should be included in a new subpart of Part-SPA; thus, becoming a specific approval.
- To assess the risk and mitigating measures for non-commercial and specialised operations and, as appropriate, propose suitable requirements.
- To assess if new technology, either available or in use by some Member States, should be mandatory.

4. Specific tasks and interface issues (Deliverables):

Draft a proposal to amend the Commission Regulation establishing the Implementing Rules for air operations and to provide amendments to the associated AMC and GM.

5. Working Methods (in addition to the applicable Agency procedures):

Task to be carried out by a Group.

6. Time scale, milestones:

NPA: 2012/Q4

CRD: 2013/Q3

Opinion to be issued: 2014/Q3

Decisions to be issued: 2015/Q3.