



**TERMS OF REFERENCE**

**Task Nr:** RMT.0132 & RMT.0515 (27&29.027)  
**Issue:** 1  
**Date:** 7 January 2013  
**Regulatory reference:** Air Operations – OPS  
**Reference documents:** JAR-OPS 3

**1. Subject:** Helicopter H-V limitation

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

The Terms of Reference for 27&29.027 (RMT.0132 & RMT.0515) are reissued as the Agency has reconsidered the approach to the subject and transferred the rulemaking task from Product Safety to Flight Standards. This is a combined result of having taken AGNA and SSCC comments into consideration (when the said draft Terms of Reference were first consulted with AGNA/SSCC in September 2011), realizing a probability of harmonisation and implementing conflicts due to changes in CS-29, and the relevance of regulating the issue operationally.

Category (CAT) A helicopters have traditionally flown momentarily through the height-velocity (H-V) envelope during take-off and landing phases, especially in offshore operations as this is considered the safest operational concept.

With the introduction of JAR-OPS 3 (Appendix 1 to JAR-OPS 3.005(c)) this became a justified alleviation for performance class 2 (PC-2) provided operations without an assured safe forced landing capability had been approved by the competent authority.

When transferring the requirements of JAR-OPS 3 into the Implementing Rules for Air Operations, the aforementioned alleviation was not transposed. For helicopters having the H-V envelope contained in the limitations section of the approved Aircraft Flight Manual the alleviation is in conflict with paragraph 4.a. of Annex IV to the Basic Regulation, which requires that any aircraft be operated in accordance with its approved flight manual.

**3. Objective:**

To continue allowing flights with helicopters mentioned above that, when operationally necessary, momentarily penetrate the H-V envelope during take-off and landing.

**4. Specific tasks and interface issues (deliverables):**

1. Identify options to remove the mentioned conflict.
2. Develop a *RIA light* to detail the impact of each option and establish a preferred option.

3. Develop regulatory text and prepare an NPA.
4. It is believed that this is an issue for CAT operations only; however, it will be assessed during the rulemaking task if changes to Part-NCC and Part-SPO or associated AMC/GM become necessary.
5. Coordination with RMT.0325 & RMT.0326 HEMS performance and public interest sites will be ensured in so far as RMT.0325 & RMT.0326 will address the issue of H-V when approaching public interest sites.

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

Group.

The Agency considers that the group shall meet once.

The Agency will prepare a draft NPA for consultation by the rulemaking group members prior to the meeting.

The NPA will be published subsequent to the meeting.

**6. Timescale, milestones:**

NPA: 2014/Q3

CRD/Opinion: 2015/Q4

Decision: 2016/Q4