



# Australian Government

---

## Civil Aviation Safety Authority

Instrument number CASA EX124/20

I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Services & Surveillance, a delegate of CASA, make this instrument under regulations 151, 207, 235, 250 and 251 of the *Civil Aviation Regulations 1988* and regulations 11.160 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

**[Signed C. Martin]**

Craig Martin

Executive Manager, Regulatory Services & Surveillance

21 September 2020

### **CASA EX124/20 — Hover Exit and Entry (NQ Heli-WorX Pty Ltd) Instrument 2020**

---

#### **1 Name**

This instrument is *CASA EX124/20 — Hover Exit and Entry (NQ Heli-WorX Pty Ltd) Instrument 2020*.

#### **2 Repeal of Instrument CASA EX51/19**

*CASA EX51/19 — Hover Exit and Entry (NQ Heli-WorX Pty Ltd) Instrument 2019* is repealed.

#### **3 Definitions**

*Note* **Operator** has the meaning given by Part 1 of the CASR Dictionary.

In this instrument:

**approved attachment point**, for a helicopter, means an attachment point:

- (a) on the floor or any other part of the internal structure of the helicopter; and
- (b) approved under the flight manual for the helicopter.

**approved harness** means a harness that is approved by CASA under regulation 21.305 of CASR.

**dispatcher's restraint strap** means a dispatcher's restraint strap that complies with ATSO-C1001, as existing from time to time.

*Note* For information about minimum performance standard ATSO-C1001 — *Dispatcher's restraint strap*, see section 13.2 and Schedule 24 of the *Part 21 Manual of Standards* available on the Federal Register of Legislation.

**hover** means flight at zero ground speed.

**hover exit or entry**: a person engages in a **hover exit or entry** if the person leaves or boards a helicopter while it is established in the hover.

***hover exit or entry operation*** means:

- (a) an aerial work operation that involves a hover exit or entry conducted in a helicopter:
  - (i) in a remote area or other area that is difficult to access where the construction of a helicopter landing site is not practicable and it is not practicable to access a suitable natural landing site; or
  - (ii) at a site that has environmental values that would be severely compromised by building a helicopter landing site and that is inhospitable for landing; or
  - (iii) at a site where a landing is not practicable or safe for other, substantially similar, reasons; or
- (b) a related training operation in a helicopter during which, for the purposes of the operation or training, it is necessary for a person to engage in a hover exit or entry.

***NQ Heli-WorX*** means the operator with the name NQ Heli-WorX Pty Ltd, ARN 778940.

***rappelling*** has the meaning given by subsection 2 of Civil Aviation Order 29.11, as in force from time to time.

***winching*** has the meaning given by subsection 2 of Civil Aviation Order 29.11, as in force from time to time.

#### **4 Application**

- (1) Subject to subsection (2), this instrument applies in relation to the conduct by NQ Heli-WorX of a hover exit or entry operation:
  - (a) that supports the transport of personnel for the purpose of conducting powerline maintenance functions; or
  - (b) for the purpose of training for an operation mentioned in paragraph (a).
- (2) This instrument does not apply in relation to an operation involving winching or rappelling.

#### **5 Exemption — low flying**

For the purposes of regulation 11.160 of CASR, NQ Heli-WorX and the pilot in command of a helicopter are exempt from complying with paragraph 157 (1) (b) of CAR to the extent that:

- (a) the helicopter is engaged in a hover exit or entry operation; and
- (b) flight at a height lower than 500 feet is necessary at the time to enable a person to engage in a hover exit or entry for the purposes of the operation.

*Note* The exemption does not extend to transit flights to or from the location where a hover exit or entry takes place.

#### **6 CASA authority — picking up of persons**

For the purposes of paragraph 151 (3) (a) of CAR, a person may be picked up by a helicopter that is engaged in a hover exit or entry operation to the extent necessary at the time to enable the person to board the helicopter for the purposes of the hover exit or entry.

## **7 Permission — carriage of person**

For the purposes of subregulation 250 (2) of CAR, a person is permitted to be carried on the Air Access System of a helicopter in a flight conducted for the purposes of a hover exit or entry operation if the person is carried on the Air Access System only to enable the person to engage in the hover exit or entry to or from a powerline tower structure.

## **8 Directions — seats and seat belts**

- (1) This section applies if a helicopter:
  - (a) is established in the hover at or below the height at which a hover exit or entry is to take place; or
  - (b) is manoeuvring into position for the hover exit or entry at a speed not exceeding 40 knots.
- (2) For the purposes of subregulation 251 (9) of CAR, a passenger is not required to wear a seat belt if it enables the passenger to engage in a hover exit or entry for the purposes of a hover exit or entry operation.

*Note* This subsection does not affect the requirements in paragraphs 251 (1) (a), (b) and (d) of CAR to wear a seat belt during take-off and landing, during an instrument approach and in turbulent conditions.

- (3) For subregulations 207 (3) and 235 (7) of CAR, the following provisions do not apply to a person who engages in a hover exit or entry for the purposes of a hover exit or entry operation:
  - (a) subparagraph 3.1 (c) of Civil Aviation Order 20.16.3, as in force from time to time;
  - (b) paragraph 4.1 of Civil Aviation Order 20.16.3, as in force from time to time, to the extent that it requires the person to wear a safety harness or seat belt when the helicopter is flying at a height less than 1 000 feet above the terrain.

## **9 Directions — limitations and communication**

- (1) This section is made under regulation 11.245 of CASR.
- (2) NQ Heli-WorX and the pilot in command must not conduct a hover exit or entry operation unless:
  - (a) a normal landing is not possible; or
  - (b) a normal landing is not safe; or
  - (c) the site at which the hover exit or entry is to occur has environmental values that would be severely compromised by landing the helicopter at the site.
- (3) NQ Heli-WorX and the pilot in command must ensure that a helicopter engaged in a hover exit or entry operation carries only the operating crew and persons who will be, are or were engaging in a hover exit or entry.
- (4) If a person engages in a hover exit or entry and is not wearing a safety harness or seat belt, NQ Heli-WorX and the pilot in command must ensure that the person is wearing an approved harness attached to a dispatcher's restraint strap secured to an approved attachment point in the helicopter while the person is on board the helicopter or on the Air Access System.
- (5) NQ Heli-WorX must:
  - (a) include a copy of this instrument in its operations manual; and

- (b) before commencing a hover exit or entry operation, provide a copy of this instrument to any person to be carried on the helicopter to engage in a hover exit or entry.
- (5) NQ Heli-WorX must give written notice to CASA at least 14 days before making any revision to any part of its operations manual that affects procedures or instructions for hover exit or entry conducted for the purposes of a hover exit or entry operation.

*Note* It is an offence for a member of the operations personnel of the operator not to comply with the instructions contained in the operations manual insofar as they relate to the person's duties or activities: see subregulation 215 (9) of CAR.

## **10 Repeal of this instrument**

This instrument is repealed at the end of 31 August 2023.

*Note* For regulation 11.250 of CASR, the directions in section 9 cease to be in force on the day that the instrument is repealed.

---