



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX104/21

I, LAURA JANE CARLTON, Acting Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Laura Carlton]

Laura Carlton

Acting Executive Manager, Regulatory Oversight

30 August 2021

CASA EX104/21 — Helicopter Winching Operations (Lloyd Helicopters) Exemption 2021

1 Name

This instrument is *CASA EX104/21 — Helicopter Winching Operations (Lloyd Helicopters) Exemption 2021*.

2 Duration

This instrument:

- (a) commences on 1 September 2021; and
- (b) is repealed at the end of 31 August 2024.

Note This instrument may cease to have effect at an earlier date due to the commencement of the *Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021*. The relevant provisions of those regulations were expected, at the time of commencement of this instrument, to commence on 2 December 2021.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *AOC*, *operations manual*, *pilot in command* and *V.M.C.*

daylight means the time of a day that is after the start of morning civil twilight (first light) and before the end of evening civil twilight (last light).

Lloyd Helicopters means Lloyd Helicopters Pty. Ltd., ARN 222688.

relevant aircraft means any of the following helicopter types operated by Lloyd Helicopters under an AOC:

- (a) Airbus EC145;
- (b) AW139;
- (c) AW189;
- (d) Bell 412;
- (e) Sikorsky S-92.

site means an offshore platform or vessel.

site permission means a written permission, given by the owner or operator of a site, for a winching operation at the site.

winching operation means an operation in which a relevant aircraft is used to winch a person or object at a site for the primary purpose of assisting in the recovery of an unserviceable helicopter.

4 Application

This instrument applies in relation to Lloyd Helicopters (and its pilots in command) when using a relevant aircraft in a winching operation.

5 Exemption

- (1) Lloyd Helicopters and the pilot in command of a relevant aircraft conducting a winching operation are exempt from compliance with the requirements of paragraphs 5.1 and 7.1 of Civil Aviation Order 29.11 to the extent necessary for the operation.
- (2) The exemption is subject to:
 - (a) for Lloyd Helicopters — the conditions mentioned in clauses 1 to 6 of Schedule 1; and
 - (b) for the pilot in command of the relevant aircraft — the conditions mentioned in clauses 5 to 8 of Schedule 1.

Schedule 1 Conditions

- 1 Before commencing a winching operation, Lloyd Helicopters must ensure that its chief pilot has:
 - (a) approved a written safety assessment for the operation; and
 - (b) given a copy of this instrument to the pilot in command of the relevant aircraft for the operation.
- 2 Before commencing a winching operation, Lloyd Helicopters must obtain a site permission for the operation at the site.
- 3 Lloyd Helicopters must, within 48 hours of completing a winching operation, give CASA:
 - (a) details of the operation; and
 - (b) a copy of the chief pilot's safety assessment mentioned in clause 1; and
 - (c) a copy of the site permission obtained for the operation, including any conditions.
- 4 Lloyd Helicopters must not amend any part of its operations manual that affects the conduct of a winching operation unless the amendment has been approved in writing by CASA.

Note Aspects of the operation are governed by instructions to personnel in the Lloyd Helicopters operations manual suite, compliance with which is required under subregulation 215 (9) of CAR.
- 5 To the extent permitted by law and this instrument, Lloyd Helicopters and the pilot in command of the relevant aircraft must, when conducting a winching operation, comply with the conditions of the site permission obtained for the operation.

- 6 Lloyd Helicopters and the pilot in command of the relevant aircraft must not winch a person together with a rescue crewman during a winching operation except in the following circumstances:
 - (a) the crewman has been trained and qualified by Lloyd Helicopters for winching operations and is accompanying maintenance personnel of Lloyd Helicopters; and
 - (b) the chief pilot of Lloyd Helicopters has determined that the operation to winch the person with the crewman can be conducted safely.

Note Winching of personnel (including trained and qualified maintenance personnel) is also governed by other requirements under the *Civil Aviation Act 1988* and by the Lloyd Helicopters operations manual suite.

- 7 During a winching operation, the pilot in command of the relevant aircraft must ensure that the aircraft hovers wholly or partially over the site to the minimum extent necessary for the safe conduct of the operation.
 - 8 The pilot in command of the relevant aircraft may only conduct a winching operation in daylight with the horizon visible.
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