



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX141/20

I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Oversight, a delegate of CASA, make this instrument under regulations 151 and 251 of the *Civil Aviation Regulations 1988* and regulations 11.056, 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed C. Martin]

Craig Martin
Executive Manager, Regulatory Oversight

21 December 2020

CASA EX141/20 — Hover Exit and Entry (Aerotech Helicopters) Instrument 2020

1 Name

This instrument is *CASA EX141/20 — Hover Exit and Entry (Aerotech Helicopters) Instrument 2020*.

2 Definitions

Note **Operator** is defined in the CASR Dictionary.

In this instrument:

Aerotech means the operator with the name Aerotech Helicopters Pty Ltd, ARN 791709.

Aerotech helicopter means a helicopter operated by Aerotech.

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 operation that involves a hover exit or entry conducted:
 - (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 natural suitable 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 which, for the purposes of the operation or training, it is necessary for a person to engage in a hover exit or entry.

rappelling has the meaning given by subsection 2 of Civil Aviation Order 29.11.
winching has the meaning given by subsection 2 of Civil Aviation Order 29.11.

3 Application

- (1) This instrument applies in relation to the use of an Aerotech helicopter to conduct a hover exit or entry operation.
- (2) This instrument does not apply in relation to an operation involving winching or rappelling.

4 CASA direction — seat belts and safety harness

For the purposes of subregulation 251 (9) of CAR, a passenger or crew member of an Aerotech helicopter is not required to wear a seat belt if:

- (a) it enables the person to engage in a hover exit or entry for the purposes of a hover exit or entry operation; and
- (b) the helicopter is established in the hover above ground level at the height where the hover entry or exit will take place.

Note This section applies if a helicopter is flying at a height of less than 1 000 feet above the terrain: see regulation 251 of CAR.

5 CASA authority — picking up of persons or objects

For the purposes of paragraph 151 (3) (a) of CAR, a person may be picked up by an Aerotech 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 operation.

6 Exemption — carriage on wings, undercarriage

- (1) For the purposes of regulation 11.160 of CASR, Aerotech and the pilot in command of an Aerotech helicopter are exempt from complying with subregulations 250 (1) and (1A) of CAR respectively to the extent that a person is permitted to be carried on the undercarriage of a helicopter for the purposes of a hover exit or entry operation.
- (2) It is a condition of the exemption that Aerotech and the pilot in command must ensure that:
 - (a) the person is carried on the undercarriage only to enable the person to engage in a hover exit or entry; and
 - (b) at the time the person is carried on the undercarriage, the helicopter is established in the hover above ground level at the height where the hover exit or entry is to take place.

Note Section 9 also sets out conditions to which the authorisation and exemptions in this instrument are subject.

7 Exemption — low-flying

For the purposes of regulation 11.160 of CASR, Aerotech and the pilot in command of an Aerotech 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 that is a charter operation; and

- (b) flight lower than 500 feet above ground level 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.

8 Exemption — CAR and CAO requirements for seats and seat belts

- (1) This section is made for the purposes of regulation 11.160 of CASR.
- (2) A person who engages in a hover exit or entry for the purposes of an exit or entry operation is exempt from complying with subregulation 235 (7A) of CAR to the extent that:
 - (a) paragraph 3.1 of Civil Aviation Order 20.16.3 requires the person to occupy a seat of an approved type when the aircraft is flying at a height less than 1 000 feet above the terrain; and
 - (b) paragraph 4.1 of Civil Aviation Order 20.16.3 requires the person to wear a safety harness or seatbelt when the aircraft is flying at a height less than 1 000 feet above the terrain.
- (3) A person who engages in a hover exit or entry for the purposes of an exit or entry operation is exempt from complying with subregulation 207 (3) of CAR to the extent that a requirement mentioned in paragraph (2) (a) or (b) of this section is a direction about the use of seats, safety harnesses or seatbelts under that subregulation.

9 Conditions

- (1) For the purposes of regulation 11.056 of CASR, the directions and authorisation under sections 4 and 5 are subject to the conditions in subsections (3) and (4).
- (2) For the purposes of regulation 11.205 of CASR, the exemptions under sections 6, 7 and 8 are subject to the conditions in subsections (3), (4), (5) and (6).
- (3) Aerotech and the pilot in command must not conduct a hover exit or entry operation unless a normal landing is not possible or safe.
- (4) Aerotech and the pilot in command must ensure that the only persons carried on an Aerotech helicopter engaged in a hover exit or entry operation are the operating crew and a person who is, or will be, engaging in a hover exit or entry.
- (5) Aerotech must ensure that a copy of this instrument is:
 - (a) included in Aerotech's operations manual; and
 - (b) provided, before the commencement of a hover exit or entry operation, to any person to be carried on the helicopter to conduct a hover exit or entry.
- (6) Aerotech must not, without the prior written consent of CASA, revise any part of its operations manual relating to 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

This instrument is repealed at the end of 30 November 2023.