

Miscellaneous

No: 1577

UK Regulation (EU) No. 923/2012

Publication date: 04 May 2023

General Exemption E 5924

Standardised European Rules of the Air – Issuing VFR and SVFR Air Traffic Control Clearances to Helicopter Operations Conducted in Support of the Maintenance of the National Infrastructure

Background

- 1) National Infrastructure Helicopter flights may be required to operate in accordance with VFR or special VFR when the meteorological conditions specified within SERA.5005(b) and SERA.5010(c) prevent air traffic control (ATC) units from issuing the corresponding clearance. The purpose of this exemption is to permit specific aircraft operators and their pilots to operate in accordance with procedures and VFR and special VFR limits specified within their aircraft operator's operation manual, and to permit ATC units to issue VFR and special VFR clearances accordingly.

Interpretation

- 2) In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced hereafter as "UK Regulation (EU) year/number" or "UK Regulation (EU) No. number/year".
- 3) In this Exemption and Permission, a 'National Infrastructure Helicopter' means any helicopter operated for the purpose of conducting pipeline, powerline or rail track inspection flights in support of the maintenance of the national infrastructure and which are deemed to be environmental control missions conducted by, or on behalf of public authorities.

Exemption

- 4) The Civil Aviation Authority (CAA), pursuant to Article 4 of UK Regulation (EU) No. 923/2012 ('the Standardised European Rules of the Air' (SERA)), exempts the operator and pilot in command of a National Infrastructure Helicopter and the ATC units providing a VFR clearance to such a helicopter under this exemption, from complying with SERA.5005(b) subject to the conditions specified in paragraph 5.
- 5) The conditions are that, for VFR flights conducted by a National Infrastructure Helicopter and when taking off from or landing at an aerodrome within a control zone or entering the aerodrome traffic zone or aerodrome traffic circuit:
 - a. the flights must be conducted in accordance with procedures and limitations detailed in Operator's Operations Manuals; and,

- b. ATC units must issue clearances for any such flights in accordance with procedures detailed in Civil Aviation Publication (CAP) 493, The Manual of Air Traffic Services (MATS) Part 1.
- 6) Subject to the condition specified in paragraph 7, the CAA permits, under SERA.5010, ATC units to provide a special VFR clearance to a National Infrastructure Helicopter operating under this exemption without complying with SERA.5010(c).
- 7) The condition is that ATC units must issue any clearance for such flights in accordance with procedures detailed in Civil Aviation Publication (CAP) 493, The Manual of Air Traffic Services (MATS) Part 1.
- 8) This exemption supersedes Official Record Series 4 No.1344, which is revoked.

Date in Force

- 9) This exemption and permission has effect from 04 May 2023 and remains in force until it is revoked.

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for the Civil Aviation Authority

04 May 2023

Explanatory notes:

- 1. For the purposes of SERA Article 4(1)(c), National Infrastructure Helicopter flights are deemed to be environmental control missions conducted by, or on behalf of public authorities.
- 2. This general exemption does not alleviate the pilot(s) in command of their responsibility to comply with the VMC criteria prescribed in SERA.5001 when operating in accordance with VFR inside controlled airspace.
- 3. Pilots of helicopters conducting National Infrastructure Helicopter flights and operating in accordance with special VFR will do so in accordance with their Operations Manual, which prescribes visibility and distance minima for their operations. Air traffic controllers are not required to know these prescribed minima.
- 4. Pilots using callsigns that do not convey the type of national infrastructure activity that they are engaged in should ensure that the nature of the activity is conveyed when requesting an ATC clearance.
- 5. National Infrastructure Helicopter flights conducted in controlled airspace are Non-Standard Flights (NSFs) and should be notified as such in accordance with UK Aeronautical Information Publication ENR 1.1 section 4.1.
- 6. This general exemption supports the following provisions within CAP 493, the Manual of Air Traffic Services Part 1:
 - (i) Section 1, Chapter 2, Paragraphs 8B.1 and 8B.2,
 - (ii) Section 2, Chapter 1, Paragraphs 6A.1 and 6A.2; and,
 - (iii) Section 3, Chapter 1, Paragraphs 8.5 and 8.6.