

Follow-up Action on Occurrence Report

ACCIDENT TO GAZELLE HT.MK3, G-CBXT (XW898), AT WINCHCOMBE, GLOUCESTERSHIRE ON 1 NOVEMBER 2008

CAA FACTOR NUMBER : F12/2009
FACTOR PUBLICATION DATE : 10 December 2009
OPERATOR : Private
CAA OCCURRENCE NUMBER : 2008/11972
AAIB REPORT : Bulletin 10/2009

SYNOPSIS

From AAIB Report:

The aircraft was en-route from a private site near Tamworth, Staffordshire, to a maintenance facility near Royal Naval Air Station (RNAS) Yeovilton, Somerset. As it approached Langley Hill, near Winchcombe, Gloucestershire, it appears to have unintentionally entered IMC and subsequently impacted the hillside. All three occupants were fatally injured.

FOLLOW UP ACTION

The one Safety Recommendation made by the AAIB following their investigation is reproduced below together with the CAA's response.

Recommendation 2009-089

It is recommended that the Civil Aviation Authority review how the restrictions on occupancy of ex-military Permit to Fly Gazelle helicopters are notified.

CAA Response

The Civil Aviation Authority (CAA) accepts this Recommendation and has reviewed its policy with regard to occupancy in ex-military aircraft, taking into account a wider review of all aircraft types. The CAA's conclusion was that a revised policy on occupancy should be established. There are a number of aircraft types operating on Permits to Fly which were previously civil type certificated or are amateur built yet, in some cases, these aircraft can carry four people. For ex-military aircraft which have a civil certificated counterpart, such as the Gazelle, the CAA considered that, as the design between the variants was broadly comparable, there should be comparability in the permitted occupancy, providing the CAA can be satisfied with the build standard, in-service experience, maintenance history and component lives. The CAA therefore proposes to adopt a revised occupancy limit for ex-military aircraft such that the number of occupants will be equal to the number of seats fitted or four persons, whichever is more restrictive. In certain circumstances the CAA may permit greater occupancy for military versions of civil types.

The CAA also reviewed the placard which is required to be fitted to an aircraft operating on the Permit to Fly. The generic placard required under Article 11(7) of the Air Navigation Order states 'This aircraft has not been certificated to an International Requirement'. The limitations on occupancy are normally defined on the Permit to Fly. The CAA believes that for amateur built aircraft this is sufficient. However, for ex-military aircraft the CAA will adopt a revised wording which will reflect the aircraft's military design background and the limitations on its use. The revised occupancy limitations will continue to be shown on the Permit to Fly. The CAA believes that the most effective way of ensuring that occupants are aware of the limitations and the occupancy warning is to add a provision to Article 11 that requires the aircraft commander to ensure that the aircraft shall not be operated in contravention of any of the conditions on the Permit to Fly and that all occupants are aware of the occupancy warning.

CAA Status - Closed