



Miscellaneous

No: 1566

Air Navigation Order 2016

Publication date: 01 February 2023

General Exemption E 5878

Flight Data Recorders (FDR) and Cockpit Voice Recorders (CVR) – Non-Part-21 Public Transport Helicopters

Background

- 1) The purpose of this Exemption is to provide alleviation for Non-Part-21 helicopters when conducting Public Transport operations with a MTOW of between 2,730 kg and 3,175 kg from the requirement to carry a cockpit voice recorder, and those issued with a Certificate of Airworthiness first issued on or before 31 July 1999 and a MTOW over 3175 kg but not exceeding 7000 kg from the requirement to carry a flight data recorder. It is not applicable to helicopters operated under a Police Air Operator's Certificate. It is issued to align Public Transport operations equipment requirements with the equipment requirements of Commercial Air Transport operations and achieve a level playing field for operators.

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 as "UK Regulation (EU) year/number" or "UK Regulation (EU) No. number/year".
- 3) Non-Part-21 helicopter has the same meaning as provided in article 64 of the Air Navigation Order 2016 ("the Order"): an aircraft which, when conducting the flight or operation, is not subject to any of Annexes III to VIII of the Air Operations Regulation, UK Regulation (EU) 965/2012.

Exemption

- 4) The Civil Aviation Authority (CAA), in exercise of its powers under article 266 of the Air Navigation Order 2016 ('the Order'), exempts any non-Part-21 helicopter specified in paragraph 5, subject to the conditions in paragraph 6, when flying for the purpose of Public Transport, from the requirement at article 119 of, and paragraph 4(13)(c)(i) of Schedule 6, Part 1, to the Order to carry the equipment specified at paragraph 5, Scale SS(1) or SS(3) of the said Schedule.
- 5) This Exemption applies to helicopters, other than any such helicopter operated under and in accordance with a Police Air Operator's Certificate, which are:
 - a) helicopters with a maximum take-off mass greater than 2,730 kg, but not exceeding 3,175 kg; and

- b) helicopters for which the individual certificate of airworthiness was first issued on or before 31 July 1999, with a maximum take-off mass greater than 3,175 kg, but not exceeding 7,000 kg.
- 6) On any flight pursuant to this Exemption, a helicopter specified in paragraph 5(b) must:
- a) be equipped with a cockpit voice recorder of a type approved by the CAA for the purposes of paragraph 5, Scale SS(1) of Schedule 6, Part 1, to the Order; and
 - b) comply with article 231(2) of the Order in respect of the cockpit voice recorder as though it were one required to be carried by paragraph 4(13)(c)(i) of Schedule 6, Part 1, to the Order.
- 7) This Exemption supersedes Official Record Series 4 No. 1450, which expired on 31 January 2023.

Date in Force

- 8) This Exemption has effect from 1 February 2023 until 31 January 2025, both dates inclusive, unless previously revoked.

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for the Civil Aviation Authority

01 February 2023