

# **Draft – Regulation on additional requirements for air transport operations in Svalbard and other polar regions**

Adopted by the Civil Aviation Authority Norway ..... in pursuance of the Act of 11 June 1993 No 101 relating to Aviation (the Aviation Act) Sections 4-1, 5-1, 5-3, 9-1 and 15-4; Delegation Decision of 10 December 1999 No 1273 and Delegation Decision of 10 December 1999 No 1279.

## **Chapter I. Introductory provisions**

### *Section 1 Scope*

The regulation applies to civil aviation involving manned aircraft to/from Svalbard.

The regulation does also apply to civil aviation involving manned Norwegian aircraft in polar regions outside Norway where they are compatible with applicable foreign law under agreements with foreign states or otherwise according to general principles of law.

### *Section 2 Definitions*

For the purpose of these regulations, the following definitions shall apply:

- a. Open-water flights: flights over water not covered in ice, where the aircraft cannot reach land or solid ice by gliding or autorotation.
- b. Passenger flights: flights with persons on board who are not part of the crew.
- c. Polar regions: regions north of the Arctic circle and south of the Antarctic circle, and in the Antarctic.

## **Chapter II. General additional rules**

### *Section 3 Winter training*

All crew members must have completed winter training approved by the Civil Aviation Authority.

### *Section 4 Flight preparation*

The flight commander must conduct a risk assessment of the planned operation before embarking on the flight.

Commercial air operators shall prepare standard operational procedures that cover the relevant operation. The operational procedures shall be based on a risk assessment.

Before the flight is conducted, a flight plan shall be submitted to the air traffic service.

### Section 5 *Personal equipment*

Crew members and passengers shall bring with them appropriate clothing and other equipment according to the expected weather and temperature conditions.

Crew members shall carry reflective vests or reflective outer garments that contrast clearly with the terrain.

### Section 6 *Rescue and emergency equipment*

The following additional equipment shall be brought along on flights:

- a. signalling equipment for emitting distress signals
- b. extra communication equipment with emergency frequencies and extra batteries
- c. a personal locator beacon (PLB) for each crew member
- d. sufficient survival aids and food
- e. detailed maps covering the relevant area, provided that such maps exist.

All equipment shall be clearly marked and kept together in an expedient place in the aircraft. Before commencing a flight, the flight commander shall inform everyone on board about the equipment and where it is located. The commander shall ensure that everyone on board knows how to use the communication equipment.

### Section 7 *Markings on aircraft*

The aircraft shall either have a colour that contrasts clearly with the terrain or have markings in red, yellow or orange fluorescent paint, or be marked with adhesive foil in one of these colours.

On aeroplanes, the markings shall be located on the top and bottom side of the wings, and on the fuselage and tail. The markings must cover a total surface area of two square metres or more.

On helicopters, the markings may be adapted to the size and shape of the fuselage, but, as far as possible, they must be visible from all directions.

### Section 8 *Loudspeaker system*

On passenger flights, it shall be possible for passengers to receive messages from the crew either through a fixed loudspeaker system or by being connected to the aircraft's internal communication system.

### Section 9 *Instrument flights*

During the dark season, it must be possible to conduct flights in accordance with the instrument flight rules, or with the use of a night vision imaging system (NVIS).

#### Section 10 *Flight following*

Provided that satellite coverage is available, commercial air transport operators shall make sure that the flights are tracked continuously from take-off until landing at the destination.

#### Section 11 *Weather radar*

Helicopters used for flying in instrument conditions or during the dark season shall be equipped with a weather radar that can be used for ground mapping and is suitable for radar-assisted approach.

#### Section 12 *Radio altimeter*

Aircraft used for commercial flights shall be equipped with a radio altimeter.

### **Chapter III. Additional rules for open-water flights**

#### Section 13 *Marking of emergency exits*

On passenger flights over open water, the emergency exits must be marked. The marking must clearly indicate the location of the emergency exits on flights in night conditions.

#### Section 14 *Survival suits etc.*

On open-water flights, everyone on board must wear a survival suit and have appropriate clothing according to the weather conditions. A life jacket must be used if the survival suit does not have the necessary buoyancy properties.

A life jacket or other appropriate buoyancy aids may be used instead of a survival suit if the use of a survival suit is inexpedient on account of the passenger's condition.

#### Section 15 *Life rafts and other survival aids*

On open-water flights, the aircraft must be equipped with a life raft with the capacity to carry crew and passengers. If the aircraft has more than 12 persons on board, it shall be equipped with at least two life rafts. Each raft shall have sufficient overload capacity to carry all persons on board.

Each life raft shall be equipped with suitable survival aids and at least one survival ELT (ELT(S)).

Life rafts shall be positioned so as to facilitate their use on evacuation of the aircraft.

#### Section 16 *Emergency buoyancy aids*

Helicopters used for open-water flights shall be equipped with emergency buoyancy aids unless the helicopter is either designed for landing on water or certified for emergency landing on water.

### **Chapter IV. Concluding provisions**

#### Section 17 *Exemption*

The Civil Aviation Authority of Norway may grant exemption from the provisions of these regulations if the requirements for safety are deemed to be met. An application for an exemption shall include a risk assessment and, if applicable, a description of risk mitigating measures and their expected effect. The Civil Aviation Authority of Norway may define conditions for the exemption.

#### Section 18 *Repeal of regulations*

The Regulations of 11 January 2003 No 42 relating to flights involving single-engine aircraft in mountains and remote parts of Norway and to/from Svalbard (BSL D 1-8) are repealed.

#### Section 19 *Entry into force*

These regulations shall enter into force on [date six months after being adopted], with the exception of the provision in Section 3, which shall enter into force [one year after being adopted].