

**AIC A 02/18. Exception for fire and rescue services - BL 3-9 and EU 139/2014.**

The Danish Transport, Construction and Housing Authority has, in connection with the conversion of Danish aerodromes from national regulation to EU regulation, become aware of a discrepancy between the national regulation BL 3-09, Rescue and Firefighting services, and Commission Regulation No 139/2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council and Commission Regulation No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

**EU Regulation:**

In accordance with EU Regulation No 139/2014 the certified aerodromes are obligated to deliver Rescue and Firefighting to all category aircraft cf. ADR.OPS.B.010 and the associated AMC material.

The Danish Transport, Construction and Housing Authority states with this AIC a general exemption to EU certified aerodromes. The aerodromes are exempted from providing Rescue and Firefighting Services to the following mentioned operations with the attached criteria cf. article 14, paragraph 6 in Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation.

Operations that are conducted in accordance with EU Regulation No 965/2012 under the terms:

NCC (Non-Commercial operation with Complex motor-powered aircraft)

NCO (Non-Commercial operation with Other-than-Complex motor-powered aircraft)

SPO (Specialised Operations)

Helicopter Emergency Medical Service (HEMS) operations\*

EMS - Emergency Medical Services\*\*

ATO – Approved Training Organisations\*\*\*

**Conditions:**

\*Operator must devise a company procedure cf. (EU) No 965/2012, ORO.MLR.100 and AMC material.

\*\*Operator must devise a company procedure cf. (EU) No 965/2012, ORO.MLR.100 and AMC material. The operation must arise from an acute emergency and have a life-saving nature.

\*\*\*Exemption only covers aircraft, which total length is less than 18 meters. This is the equivalent to rescue and firefighting category 3 cf. EU Regulation 139/2014, AMC2 ADR.OPS.B010 (a)(2), tabel 1.

**National Regulation:**

The Danish Transport- Construction- and Housing Authority states with this AIC a general exemption to aerodrome which operates according to the Danish aviation regulations. The aerodromes are exempted from paragraph 9.1 and 9.4.4 in BL 3-9.

The exemption is valid for the following air operations:

- Fixed wing operations conducted exclusively as EMS (emergency medical services). The operational need has arisen from an acute emergency and have a lifesaving nature.
- HEMS (Helicopter Medical Service) operations

N.B. flight operations conducted under the terms NCC, NCO and SPO do not require an exemption from the regulation as aerodromes are not required to provide fire and rescue services according to regulation BL 3-9 and these operations are not required to receive rescue and firefighting according to EU regulation No 965/2012.

**AIC A 02/18. Undtagelse for brand og redningstjeneste - BL 3-9 og EU 139/2014.**

Trafik- Bygge- og Boligstyrelsen er i forbindelse med konverteringen af danske lufthavne fra de nationale regler til EU regler blevet bekendt med diskrepans mellem det nationale regelsæt BL 3-09, Bestemmelser om brand- og redningstjeneste, Kommissionens forordning (EU) nr. 139/2014 om fastsættelse af krav og administrative procedurer for flyvepladser og Kommissionens forordning (EU) nr. 965/2012 om fastsættelse af tekniske krav og administrative procedurer for flyveoperationer så vidt angår kravene til brand- og redningstjeneste til forskellige flyveoperationer.

**EU regelsæt:**

I henhold til EU forordning nr. 139/2014 er de certificerede flyvepladser forpligtet til at stille brand- og redningstjenesten ved alle typer flyveoperationer jf. ADR.OPS.B.010 og AMC-materiale hertil. Trafik- Bygge- og Boligstyrelsen undtager med denne AIC EU certificerede flyvepladser fra at stille brand- og redningstjeneste til rådighed for nedenstående flyveoperationer med tilknyttede vilkår, jf. artikel 14, stk. 4, i Europa-Parlamentets og Rådets forordning (EF) nr. 216/2008 om fælles regler for civil luftfart og om oprettelse af et europæisk luftfartssikkerhedsagentur.

Operationer som udføres i henhold til EU 965/2012 under betegnelserne:

NCC (Non-Commercial operation with Complex motor-powered aircraft)

NCO (Non-Commercial operation with Other-than-Complex motor-powered aircraft)

SPO (Specialised Operations)

Helicopter Emergency Medical Service (HEMS) operationer\*

EMS - Emergency Medical Services\*\*

ATO – Approved Training Organisations\*\*\*

**Vilkår:**

\*Operatøren skal udarbejde en firmaprocedure, jf. forordning (EU) nr. 965/2012, herunder ORO.MLR.100 og AMC materiale.

\*\*Operatøren skal udarbejde en firmaprocedure, jf. forordning (EU) nr. 965/2012, herunder ORO.MLR.100 og AMC materiale. Operationen skal være opstået af en akut nødsituation og have en livsreddende karakter.

\*\*\*Undtagelse omfatter kun fly, hvis total længde er mindre end 18 meter, hvilket er tilsvarende til brand- og redningskategori 3, jf. forordning (EU) nr. 139/2014, herunder AMC2 ADR.OPS.B010 (a)(2), tabel 1.

**National regelsæt:**

Trafik- Bygge og Boligstyrelsen meddeler med denne AIC en general dispensation til flyvepladser, der opererer efter de danske luftfartsregler, således flyvepladserne undtages fra punkt 9.1 og 9.4.4. i BL 3-9.

Dispensationen er gældende for følgende flyveoperationer:

- Fastvingede flyveoperationer, som udelukkende benyttes til EMS (emergency medical service), som er opstået af en akut nødsituation og har en livsreddende karakter.
- HEMS (Helicopter Emergency Medical Service) operationer.

N.B. flyveoperationer under betegnelserne NCC, NCO og SPO er ikke omfattet af krav til brand- og redningstjenesten i det nationale regelsæt, hvorfor en undtagelse ikke er nødvendig for flyvepladser, som opererer under de nationale regler.

**(CFL)**