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August 23, 2010

Martin Eley
Director General Civil Aviation AAR
Transport Canada Civil Aviation
Tower C
330 Sparks Street 5th Floor
Ottawa Ontario
K1A 0N5

RE: Training for Class D Operations, as per 702.21 and 702.22 of the Canadian Aviation Regulations and the applicable Commercial Air Service Standards for Single Engine Aircraft

Dear Martin:

A letter (attached) from Transport Canada's Pacific Regional Superintendent Rotorcraft Operations Shona Hirota, dated July 12 2010 has caused quite a stir in that region and elsewhere across Canada.

The conclusion that Inspector Hirota reaches in the letter, that "The Canadian Aviation Regulations dictate that Single Engine Aircraft are NOT permitted to use live loads for training purposes." is questionable, and HAC believes that if Transport Canada applies this tortured interpretation going forward it will certainly result in a higher level of risk for operators, pilots, and the technicians carried during Class D operations.

What's more, this new interpretation being applied only in Pacific Region spontaneously ignores over ten years of successful Canadian experience with SE Class D external load training. It has been accepted practice in our industry for an operator to carry out training with representative loads, followed by live load training. This live load training is just as important for the individual technician as it is for the individual pilot, but also for the two of them to practice their crew resource management between the two functions. In short, they require live load training as individuals, but also require training together, *and on the single-engine aircraft that will be used operationally*. Even if multi-engine aircraft were widely available, it would be hazardous to expect pilots and technicians to conduct live load practice on one type of multi-engine aircraft and then to carry out live operations together for the first time, potentially under much more difficult circumstances, in a single-engine aircraft. Inspector Hirota's re-interpretation has imposed a potentially hazardous variation to the long-standing sound practices of this industry segment.

It also strikes this association as odd that one Regional Inspector could provide such an unequivocal re-interpretation of the CARs, without any discussion or consultation. Certainly it was our expectation that Transport Canada's reorganization and the new Standards Division

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would minimize the potential that a potentially hazardous re-interpretation of the CARs could be imposed through a letter to operators in one region.

Admittedly section 722 of the CASS is poorly drafted and confusing on this subject, but HAC would like to suggest that common sense and 10 years of prudent operational experience should prevail pending a review of the section's terms. To suggest for a moment that operators could be authorized to carry out SE Class D operations, but prohibited from conducting any training in those aircraft defies logic. If the specific operation is authorized, naturally live training in the same aircraft should also be authorized. This common sense conclusion was reached back in 2000 when HAC and Transport Canada discussed the content of the Class D Best Practice Training Standard which has since been posted on the HAC website for the better part of ten years. The agreement was reflected in a Communiqué (attached) that was distributed by my predecessor back in July of 2001. My plans are to pull the Class D Training Guidelines document from our website if Transport Canada is going to reverse-course on this issue – we believe that this would be a retrograde step for safety.

We urge Transport Canada to *immediately* rescind Inspector Hirota's letter and to make it clear that some SE Class D external load training is not simply allowed, but it is necessary and valuable. At the same time, Transport Canada should engage in a face-to-face dialogue with HAC's Air Taxi Committee with a view to accepting their industry best practices as a guide to any limitations which should be placed on this type of operation and allow leaders in this industry segment to help guide amendments to the Standards on this subject to avoid similar misunderstandings going forward. HAC would be pleased to facilitate a dialogue between Transport Canada and our Air Taxi Committee on this subject.

I would be pleased to discuss this issue at your earliest convenience.

Sincerely,



Fred L. Jones BA LLB
President & CEO

cc Shona Hirota, Regional Superintendent Rotorcraft Commercial and Business Aviation,
Pacific Region
Don Sherritt, Director Standards Transport Canada
HAC Board of Directors
Bruce Brink, Air Rescue Association of Canada
Dave Nowzek, Regional Director Civil Aviation Pacific Region