



STATUTORY INSTRUMENTS.

S.I. No. 212 of 2022

IRISH AVIATION AUTHORITY (REGULATION OF IRISH COAST
GUARD AVIATION OPERATIONS) ORDER 2022

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The Irish Aviation Authority, in pursuance of section 58 and 59 of the Irish Aviation Authority Act 1993, hereby orders as follows:

1. (1) This Order may be cited as the Irish Aviation Authority (Regulation of Irish Coast Guard Aviation Operations) Order 2022.

(2) This Order shall come into operation on the 1st day of May 2022.

(3) In this Order:

“the Act” means the Irish Aviation Authority Act 1993 (No. 29 of 1993) as amended;

“the Authority” means the Irish Aviation Authority;

“Coast Guard Technical Crew” means a member of a coast guard crew, other than flight crew, assigned to a coast guard operations flight for the purpose of operating specific aircraft and role equipment and assisting the flight crew during the mission;

“Commission Implementing Regulation (EU) No 923/2012” means Commission Implementing Regulation (EU) No. 923/2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No. 1035/2011 and Regulations (EC) No. 1265/2007, (EC) No. 1794/2006, (EC) No. 730/2006, (EC) No. 1033/2006 and (EU) No. 255/2010;

“direction” means a direction issued by the Authority;

“Irish Coast Guard aviation operations” means aviation operations undertaken by or under contract to the Irish Coast Guard;

“the EASA Regulation” means Regulation (EU) No. 2018/1139 of the European Parliament and of the Council of 4 July 2018 and shall include any rules or regulations adopted by the European Commission in accordance with the EASA regulation;

“prescribed” means prescribed by a direction given by the Authority under this Order or under any other Order or by a direction or Order issued pursuant to a provision of the Act.

Scope

- 2 (a). This Order shall apply to aircraft operators, crew, and aircraft, other than unmanned aircraft, engaged in aviation operations undertaken by or under contract to the Irish Coast Guard.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd May, 2022.*

- (b). For the avoidance of doubt, this Order shall not apply to State aircraft when engaged in aviation operations undertaken by or under contract to the Irish Coast Guard.

Air Operations

- 3 (a). An operator of an aircraft engaged in Irish Coast Guard aviation operations shall be the holder of a national coast guard approval issued by the Authority, and all Irish Coast Guard aviation operations shall be conducted in accordance with that approval.
- (b). In accordance with Article 7 of this Order, the Authority may lay down the conditions applicable to the granting of a national coast guard approval.
- (c). An operator of an aircraft engaged in Irish Coast Guard aviation operations shall have documented operational procedures acceptable to the Authority.
- (d). An operator of an aircraft engaged in Irish Coast Guard aviation operations shall be the holder of an Air Operator Certificate (AOC) issued in accordance with the EASA Regulation.
- (e). An operator of an aircraft engaged in Irish Coast Guard aviation operations shall be subject to a system as the Authority may establish to address findings of non-compliance.

Airworthiness

4. In so far as it holds a certificate of airworthiness and associated airworthiness review certificate issued in accordance with the EASA Regulation, an operator of an aircraft engaged in Irish Coast Guard aviation operations is exempt from the requirement for an Irish registered aircraft to have a certificate of airworthiness in accordance with Article 7 of the Irish Aviation Authority (Airworthiness of Aircraft) Order, 1996.

Flight Crew Licensing

- 5. (a) In so far as they hold a valid and current commercial pilot licence or airline transport pilot licence, issued and maintained in accordance with the EASA Regulation, flight crew engaged in Irish Coast Guard aviation operations shall be exempt from the requirements of Irish Aviation Authority (Personnel) Licensing, Order (S.I. No. 333 of 2000) when they are acting as a flight crew member of an aircraft registered in the State.
- (b). Flight crew engaged in Irish Coast Guard aviation operations shall not exercise any privilege for instruction or examining in flying in relation to Irish Coast Guard aviation operations unless otherwise authorised in writing by the Authority.
- (c). Flight crew of an aircraft engaged in Irish Coast Guard aviation operations shall hold a current Class 1 medical certificate and

shall comply with any specific requirements as regards training and checking as may be prescribed by the Authority.

- (d). The age requirements for flight crew shall be equivalent to those prescribed in the EASA Regulation, unless otherwise prescribed in writing by the Authority.
- (e). Coast guard technical crew of aircraft engaged in Irish Coast Guard aviation operations shall hold a valid and current Class 2 medical certificate and shall comply with any specific requirements as regards training and checking as may be prescribed by the Authority.

Rules of the Air

- 6 (a). Save where the Authority has granted specific exemptions, the operation of an aircraft engaged in Irish Coast Guard aviation operations, either in flight, or at an aerodrome, shall be in compliance with the Standardised European Rules of the Air set out in Commission Implementing Regulation (EU) No 923/2012, and when in flight, either with the visual flight rules, or the instrument flight rules.
- (b). Pursuant to Article 10 of the Irish Aviation Authority (Standardised Rules of the Air) Order, 2019 (S.I. No. 266 of 2019), the Authority may grant exemptions to specific rules of the air for Coast Guard aviation operations.

Directions

- 7 (a). The Authority may give directions for carrying out the purposes of this Order. The Authority may exempt a person or an aircraft from any provision of this Order subject to any conditions specified, which shall be complied with by that person or the pilot in command of that aircraft.
- (b). Directions under this Order may be given in the form of Notices to Airmen (otherwise known as “NOTAMS”), Notices to Aircraft Operators, Notices to Aircraft Owners and Aircraft Engineers (otherwise known as “Aeronautical Notices”), or Aeronautical Information Circulars, any or all of which may be posted on the Authority’s website, issued through an electronic safety regulatory system, or by notice sent by registered post to the person affected.



Present when the common seal of the Irish Aviation Authority
was affixed hereto
27 April 2022

ROSE HYNES,
Director

DIARMUID Ó CONGHAILE,
Director

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

This Order, which comes into operation on 1st May, 2022, makes provision for the regulation of Irish Coast Guard aviation operations under national aviation law, including civil aviation operations provided for the Irish Coast Guard by way of contract, and also provides for a requirement for operators engaging in Irish Coast Guard aviation operations to hold a national coast guard approval issued by the Authority. This Order recognises the requirements under EU Law to ensure that Coast Guard activities and services are carried out with due regard to the safety objectives of the EASA Regulations. This Order does not extend to UAS operations undertaken by or on behalf of the Irish Coast Guard, which are regulated under the national regulations relating to the operation of UAS.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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