

## RA 1330 - ► Release To Service ◀ Special Clearances

### Rationale

There may be a requirement for the clearance of operational equipment and materiel ►◀ where the operating risk is greater than that normally acceptable or when there is insufficient evidence to support a normal Release To Service (RTS) clearance ►<sup>1</sup>, particularly when employment of the capability can be justified where there is insufficient time to complete a full safety assessment. ◀ Not having a process that enables the operation of an Air System outside of its ► Design ◀ Safety Target ►<sup>2, 3</sup> or without full evidence to support RTS could lead to the constraint of operationally essential output. By enabling Special Clearances, a risk-based approach to operational delivery can be made that enables flying to take place outside of an Air System's ► Design ◀ Safety Target ►<sup>3</sup>, or whilst evidence is collated that will lead to full RTS ►<sup>1</sup>.

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### Regulation 1330(1)

#### Operational Emergency Clearance

1330(1) An Operational Emergency Clearance (OEC) **shall** be invoked when ► there is likely to be an increased ◀ Risk to Life (RtL) associated with ► the Air System's usage, compared to ◀ the risk identified within the ► Design ◀ Safety Target ►◀.

### Acceptable Means of Compliance 1330(1)

#### Operational Emergency Clearance

1. An OEC **should** be identified when the Air System is to be operated outside of its declared ► Design ◀ Safety Target.
2. An OEC **should** be authorized by the Release To Service Authority (RTSA) and only enabled at Operating Duty Holder (ODH) level for a given activity and defined period. The Letter of Delegation from 2\* RTSA to Delegated RTSA (DRTSA) **should** include the terms of the delegation by which the DRTSA is empowered to authorize an OEC.
3. The ODH **should** ► review their Safety Statement in accordance with RA 1205<sup>4</sup>. ◀
4. The ODH **should** declare, in ► their ◀ Safety Statement, to which Operation ► (including training for said Operation) ◀ the OEC applies.
5. OEC review periodicities **should not** exceed 12 months.

### Guidance Material 1330(1)

#### Operational Emergency Clearance

6. ►◀
7. An OEC will only be used for flight under the following circumstances:
  - a. In conditions of actual or potential hostile enemy action.
  - b. In the evaluation of options needed for contingency planning.
  - c. ►◀
8. The Type Airworthiness Authority (TAA) will ensure that a clear explanation of the ► applicable equipment contribution to RtL, ◀ and related operating instructions to support an OEC are incorporated in the Air System Document Set.

<sup>1</sup> ► Remotely Piloted Air System (RPAS) operating in the Open and Specific S1 sub-category do not have an RTS but rely on a Letter of Endorsed Categorization which, for the purposes of this regulation, is the equivalent to an RTS.

<sup>2</sup> Refer to RA 1230 – Design Safety Targets.

<sup>3</sup> Not applicable to RPAS operating in the Open and Specific S1 sub-category.

<sup>4</sup> Refer to RA 1205 – Air System Safety Cases. ◀

**Guidance  
Material  
1330(1)**

9. The ODH will ensure that the authority required for an OEC to be enabled, guidance on the risk involved, and related operating instructions are specified in appropriate flying orders.
10. The TAA must subject the proposed OEC to a safety analysis and update the existing ► **Type Airworthiness** ◀ Safety Assessment<sup>5</sup> (TASA) as appropriate.

**Regulation  
1330(2)**

**Clearance with Limited Evidence**

- 1330(2) A Clearance with Limited Evidence (CLE) **shall** be raised when insufficient evidence is available to support the normal standards required for an RTS clearance.

**Acceptable  
Means of  
Compliance  
1330(2)**

**Clearance with Limited Evidence**

11. A CLE **should** be used when a fully substantiated ► **TASA** ◀ is not available to support a full RTS clearance but, on the balance of available evidence, clearance is judged to remain within the required ► **Design** ◀ Safety Target. If the RtL is judged to be greater than the risk identified within the ► **Design** ◀ Safety Target, then an OEC **should** be invoked.
12. A CLE **should** be authorized by the RTSA. The Letter of Delegation from 2\* RTSA to DRTSA **should** include whether the DRTSA is empowered to authorize CLE.
13. CLE review periodicities **should not** exceed 12 months.
14. A CLE **should** have a maximum life of 5 years ► ◀.
15. ► **Where a CLE involves a change to Type Design, the MACP requirements of RA 5820<sup>6</sup> should be met.** ◀

**Guidance  
Material  
1330(2)**

**Clearance with Limited Evidence**

16. While unusual, an Air System can be flown on the basis of a whole Air System CLE. However, the increased exposure to risk through this approach means that clear limitations on the extent of use of the Air System must be specified to take account of unquantified risk and any other consequences of evidence limitations. This could be through the use of an OEC or by restricting the employment of the Air System in the RTS authorization. Either way the ODH will need to be satisfied that the associated RtL are As Low As Reasonably Practicable and Tolerable.
17. A CLE can become a fully authorized RTS clearance only with the provision of suitable additional evidence.
18. There is an expectation that a CLE will be incorporated as a full RTS clearance within 5 years. It is recognized that factors may mitigate against obtaining sufficient evidence to be able to underpin an upgrade to a full RTS clearance. In this case the procedures outlined in MAA03<sup>7</sup> must be followed.

<sup>5</sup> Refer to RA 1220 – Delivery Team Airworthiness and Safety.

<sup>6</sup> ► Refer to RA 5820 – Changes to Type Design (MRP Part 21 Subpart D). ◀

<sup>7</sup> Refer to MAA03: Military Aviation Authority Regulatory Processes.