



Government of South Georgia & the South Sandwich Islands

POLICY – PERMITTING THE USE OF HELICOPTERS FOR CIVILIAN PURPOSES

Summary

This policy sets out the circumstances that will give rise to a permit being granted for helicopters under relevant legislation to be used for civilian purposes on South Georgia and the South Sandwich Islands (SGSSI). The policy goes on to set out the level of evidence the Government of South Georgia & the South Sandwich Islands (GSGSSI) expects to enable permission for helicopter use to be granted.

It should be noted that GSGSSI setting out the circumstances under which helicopter use might be permitted does not mean that applicants should consider helicopters as a first option for their projects. Their use will only be permitted in exceptional circumstances, where no other option exists and when robust environmental and safety criteria are met.

Who is affected by this Policy

All those who wish to use helicopters for civilian purposes in the Territories, including the Territorial Sea

Legal Provisions

Anyone applying for a permit to use a helicopter for civilian purposes should familiarise themselves with the relevant provisions of the following¹ before applying for a permit:

Environmental Protections and Prohibitions

- Wildlife and Protected Areas Ordinance 2011, as amended (referred to as the '2011 Ordinance' in this policy);
- Marine Protected Areas Order 2019;
- Wildlife and Protected Areas (Specially Protected Areas) Order 2022;
- Prohibited Areas Ordinance 2010; and
- Prohibited Areas Order 2013

These laws can be downloaded from www.law.gov.gs

¹ This is the most relevant current law at the time this policy is published. It is the responsibility of anyone applying for a permit to ensure that they read all relevant current law including any changes made after this policy being published.

Air Navigation and related matters

- Air Navigation (Overseas Territories) Order 2013 (including the amendment Orders made in 2014 (x2), 2015, 2019 and 2021 (x2); and
- Air Navigation (Overseas Territories) (Environmental Standards) Order 2014 (including the amendment Order made in 2015)

These Air Navigation Orders can be downloaded from www.legislation.gov.uk

Applicants should note the greater restrictions that these Orders apply, such as regarding aerial work (including aerial photography and aerial survey) to aircraft not registered in the United Kingdom.

All references to the Governor under these Orders should be read as a reference to the Commissioner of South Georgia and South Sandwich Islands.

Commissioner's Directions, Rules etc.

The Commissioner of South Georgia and South Sandwich Islands is empowered under the Air Navigation (Overseas Territories) Order 2013 (as amended) to:

- make directions (including directions prohibiting to flights)
- make regulations;
- make exemptions;
- make suspension or revoke any certificate, licence, approval, permission, exemption, authorisations or similar document
- issue instructions;
- publish requirements; and
- to make supplementary 'Rules of the Air'

It is the responsibility of anyone applying for a permit, any operator and the pilot-in-command to familiarise themselves with such matters.

Policy

As South Georgia and South Sandwich Islands is an ecosystem in recovery it is the policy of GSGSSI to afford a high degree of protection to it. The overarching aim of this policy is to minimise the use helicopters in the Territories.

GSGSSI will only permit the use of helicopters where these are essential to the delivery of science or conservation projects (under Section 21(6) of the 2011 Ordinance) and where there is clear and compelling evidence that it would deliver the policies of the Government, including the management plan for the Marine

Protected Area² and the Specially Protected Area or would contribute to the delivery of Protect, Sustain Inspire³.

GSGSSI will need to be satisfied that the helicopter operator is self-sufficient regarding provision of maintenance of the aircraft and provision of fuel transportation of crew and that such operations would not pose unacceptable risks whether to the environment or to the crew and any passengers.

GSGSSI will also need to be satisfied that the helicopter operator, its pilots and crew can and will operate in accordance with:

- Convention on International Civil Aviation (known as the Chicago Convention) and its Annexes;
- Air Navigation (Overseas Territories) Order 2013 (as amended);
- Air Navigation (Overseas Territories) (Environmental Standards) Order 2014 (as amended);
- Any directions and rules etc. made by the Commissioner; and
- The terms and conditions of any permit(s) issued.

Permission will only be granted for helicopter operations that are consistent with Performance Class 1 or 2. Good safety practice would be to have a second helicopter is on standby for rescue and recovery purposes.

Operations in performance Class 1:

Operations with performance such that, in the event of a critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the take-off decision point (TDP) or after passing the landing decision point (LDP), in which cases the helicopter must be able to land within the rejected take-off or landing area.

Operations in performance Class 2:

Operations with performance such that, in the event of critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which cases a forced landing may be required

The normal route for application for the use of helicopters to undertake would be a project that is brought forward by a UKRI/NERC UK Government National Science Programme as a GSGSSI partner. However, exceptions can be made in including projects brought forward by National Science Programmes of other countries, providing all other conditions are met.

² [Environment – Government of South Georgia & the South Sandwich Islands](#)

³ [GSGSSI – Government of South Georgia & the South Sandwich Islands](#)

Clear and Compelling Demonstrable Evidence

The [RAP application process](#) will be used to provide the information used to consider any application for the use of helicopters.

When considering applications for use of helicopters for science or conservation of the natural environment, all the following conditions should be met:

- GSGSSI has been engaged in the planning process from the outset;
- There are no alternate means by which the project goals could be met. Details of alternates and evidence for why they were discounted must be provided. The fact that, in some cases the use of helicopters would allow a project to be completed in a shorter timeframe and/or for less money are not considerations that automatically justify the use of helicopters and would not be sufficient as demonstrable evidence alone;
- Impact of the use of helicopters on the environment has been fully assessed in an Environmental Impact Assessment in a format agreed with GSGSSI. This may be subject to an independent review. If information gaps are identified this may require the applicant to complete on the ground surveys prior to the EIA being assessed and a RAP issued. Costs of review borne by applicant;
- Mitigation for any possible adverse effects on the species and habitats of SGSSI are identified and incorporated in any project plan and/or operational instructions.
- Suitable and sufficient risk assessments have been undertaken on all proposed flights and support activities and all appropriate mitigation measures implemented.
- Under the Air Navigation (Overseas Territories) Order, aerial work operations will involve input from Air Safety Support International (ASSI), the civil aviation regulatory organisation for SGSSI. Such operations require an operational risk assessment to be carried out and standard operating procedures to be developed, to ensure that all aerial tasks are conducted safely. Additional permissions/authorisations may be required, depending on what the tasks are and in which country the helicopters are registered. Contact with ASSI, well in advance of the operation, is essential to ensure that all aspects of the operation are clearly laid out for consideration and appropriate permissions/authorisations are given. These considerations include all land operations and, where applicable, ship/sea operations.
- A search and rescue plan has been agreed with GSGSSI following an external review process.
- Those contracted to operate the helicopters, including pilots and support staff, have a track record of operating helicopters safely in remote and hazardous environments;

- If GSGSSI deem it to be required, there must be provision for ASSI/GSGSSI approved observers to oversee the operation in the field. Costs borne by the applicant;
- All appropriate insurances as specified by GSGSSI and ASSI are in place and copies of documentation are provided for scrutiny.

Reason for the Policy

The policy has been established in recognition that:

- (i) Environment Protection – GSGSSI adopt a precautionary approach in respect of environmental management of the Territory and have a low threshold for any disturbance to native wildlife;
- (ii) Evidence based Decision Making – In some areas, and for some species, the wildlife of SGSSI is poorly mapped. Although there is some research on the disturbance of wildlife as a result of helicopter use, it is not exhaustive. These two factors combined result in an unacceptable level of uncertainty hence the limited circumstances under which their use will be permitted and the requirement for a site-specific EIA which must fully account for both these factors;
- (iii) Human Safety - flying conditions are often challenging and potentially dangerous with highly variable conditions between sites and at different times due to the mountainous conditions and capacity for strong, catabatic winds.
- (iv) Human safety - in the case of the South Sandwich Islands their active volcanic state means that flights are especially dangerous. This is particularly relevant as they are not subject to continuous monitoring capacity to assess when the next eruption will take place;
- (v) Human Safety – SGSSI are extremely remote and there are no search and rescue or medical facilities in the event of an accident;

Procedures

Given the nature of the issues requiring consideration it may take considerable time to develop the project from initial approach to GSGSSI, through submission of application to deployment, we recommend that: -

- Initial discussion with GSGSSI are commenced at least 24 months before the proposed deployment date.
- A project proposal including initial Environmental Impact assessment and operational assessment are submitted to GSGSSI 12 months before deployment date.
- A completed application and supporting documentation for the permit is received 6 months before deployment date.

Review

This policy can be review at any time but must be reviewed within 5 years of coming into force.

Responsible Officer

Environment Officer

Contact

permits@gov.gs