

OTAR 190 – LOG OF COMMENTS RECEIVED DURING THE CONSULTATION PERIOD 25 SEPTEMBER 2023 to 25 NOVEMBER 2023

No.	Commentator Date & Source	Document Reference	Comment	Response	Action
1	BCAA	190.5(c)	190.5 (c) does not include aerodrome certificate holder as with (a) and (b) - (OTAR 139.9 speaks specifically to the aerodrome certificate holder only).	<i>Agree with comment and 190.5(c) revised per the comment.</i>	Comment actioned.
2	BCAA	190.13 190.15(a)(1)	190.13 references 190.15 (a) (1) but there is no (1) only (a).	<i>Agree with comment. OTAR 190.15(a)(1) revised to read 190.13(a)(i).</i>	Comment actioned.
3	BCAA	190.15(b), 190.27(d), 190.29(b), 190.33(b)(1), 190.HE.17(b), 190.WA.17(b)	190.15 (b), 190.27 (d), 190.29 (b), 190.33 (b)(1), 190.HE.17 (b), 190.WA.17 (b) all reference OTAR 191, but this is not posted on ASSI website for review and cross-reference.	<i>OTAR 191 was not published until the 28th of September 2023.</i>	No further action.
4	BCAA	190.21(b)	190.21 (b) seems to be missing the word “holder” as in certificate holder.	<i>Agree with comment. 190.21(b) amended per comment.</i>	Comment actioned.
5	BCAA	190.21(c)(iv)(3)	190.21 (c)(iv)(3) seems to be missing the words “approval of” the appropriate authority.	<i>Agree with comment. 190.21(c)(iv)(3) amended per comment.</i>	Comment actioned.
6	BCAA	190.23	190.23 could be broken down into (i) and (ii) to read more clearly.	<i>Agree with comment. 190.23 (a) amended to include the word assign.</i>	Comment actioned.
7	BCAA	190.31	190.31 the note after (i) should say OTAR 139-30 and not OTAC 139-30.	<i>Agree with comment.</i>	Comment actioned.
8	BCAA	190.33	190.33 the second note after (e) should say Management and not manager.	<i>Agree with comment.</i>	Comment actioned.
9	BCAA	190.HE.25	190.HE.25 the second note after (e) should say Management and not manager.	<i>Agree with comment.</i>	Comment actioned.

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10	ASSI Legal	190.19	Wildlife Hazard Management (a) The aerodrome certificate holder shall establish and maintain a wildlife hazard management programme that represents the size and level of complexity of the aerodrome and takes [account of] hazardous species and the level of risk associated with the species and the volume of flight operations. The bracketed words are missing.	<i>Agree with comment.</i>	Comment actioned.
11	ASSI Legal	190.WA.17	190.WA.17 General Requirements (a) The water aerodrome operator shall maintain, for compliance by its personnel, a Water Aerodrome Manual for the service provided which describes the facilities, physical characteristics and operational procedures of water aerodrome. (b) The heliport operator shall maintain compliance with OTAR Part 139, OTAR Part 192, OTAR Part 140 and, where applicable, OTAR Part 191. (c) The water aerodrome operator shall ensure the operation is continuously, adequately financed, and resourced. This should read “water aerodrome operator”.	<i>Agree with comment.</i>	Comment actioned.

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12	Aviation Regulatory Consultancy Limited	190.13(a)(v), 190.15(a)(1)	<p>190.13 (a)(v) where the requirements of this OTAR Part are inconsistent with those of paragraph OTAR 190.15(a)(1), the OTAR requirement shall take precedence.</p> <p>The reference does not appear to be within OTAR Part 190 (190.15(a) does not have a subpart (1)) and also could you clarify the use of inconsistent is this context, the OTARs have the requirement to apply the more stringent of an ICAO standard or recommendation where they differ, is this the intent of this requirement?</p>	<p><i>In short, there's an editorial error with the text that should read. 190.13 (a)(v), where the requirements of this OTAR Part are inconsistent with those of paragraph OTAR 190.13(a)(1), the OTAR requirement shall take precedence.</i></p> <p><i>Your interpretation is correct. The OTAR shall take precedence if inconsistencies exist between an OTAR requirement and an ICAO SARP. However, both standards and recommended practices are mandated as requirements under ASSI policy, which comes from the UK Department for Transport.</i></p>	No further action. Editorial action is captured in comment 2 above.