

# Health and Safety Executive OC 801/2

Field Operations Division

For MOD parachuting, see OC 801/2 (Supp 1)

To

Agricultural, Factory and Quarries Inspectors

## **SPORT PARACHUTING: LIAISON BETWEEN HSE INSPECTORS**

## **AND THE CIVIL AVIATION AUTHORITY (CAA)**

### **Introduction**

1. This OC outlines the demarcation of responsibility between HSE and the CAA for safety of non-employees including the public, involved with, or affected by parachuting.

### **Background**

2. Under the powers given to it by Articles 43, 44 and 104 of the Air Navigation Order 1989, as amended, the CAA can grant a Permission and Exemption to any organisation wishing to participate in a parachuting activity. Before such documents are granted, the CAA requires that the organisation submit an operations manual which must be acceptable to the Authority. With very few exceptions, the only operations manual currently acceptable is that of the British Parachute Association (BPA).

3. Historically the day-to-day control and regulation of sport parachuting has been undertaken by the BPA. The CAA is satisfied that it is in the interests of the sport and its participants that this situation should continue. The BPA and CAA maintain a good working relationship by regular liaison and consultation.

4. The BPA monitor their member clubs and teams closely. Serious and fatal incidents/accidents are subject to a BPA Board of Inquiry, which is composed of senior experienced BPA examiners and one or both of the BPA national coaches and safety officers, none of whom can be connected with the club involved in the accident. The inquiry report is passed to the CAA. The CAA will, if necessary, comment on the report and provide input on the findings. It is not the policy of the BPA to submit reports to the CAA on minor accidents, which are considered to be inevitable in a physically adventurous sport of this nature.

### **General policy on enforcement**

5. As a general principle, HSE wishes to avoid duplication with other enforcing authorities. It seeks to achieve this by agreement that the Executive should not generally attempt to enforce the

requirements of HSW Act s.3 and 4 where public safety will be adequately guaranteed by the enforcement of other legislation covering the risk in question. Because specific arrangements exist for the protection of non-employees, including the public, either engaged in, or affected by sport parachuting, HSE and the CAA have agreed that these arrangements will generally take precedence over HSW Act in such circumstances.

## Action by inspectors

6. Inspectors should not attempt to take the lead on matters covered by the more specific provisions of the Air Navigation Order 1989. If, during the course of an inspection or as a result of a complaint etc, inspectors suspect or become aware that a sport parachuting centre, club or team is operating in such a way as to cause risk to the safety of non-employees including the public, they should inform:

The Parachute Standards Officer

Civil Aviation Authority

Safety Regulation Group

Aviation House

Gatwick Airport

Gatwick

West Sussex RH6 0YR

Tel: 01293 573700

and ask for the matter to be investigated.

7. This arrangement has been agreed with the CAA.

18 February 1991

(2055/FOD/1990)

DISC NO: FOD1C\EDITORS\J276\19.11.90\DH\CP

NEW REF: J:\EDITORS\CA1\J276NO90

## ASI headings

Aircraft: Civil Aviation Authority: parachuting.