TOUR OPERATORS PROGRAM OF SAFETY, INC. (TOPS)

PROGRAM OF SAFETY STANDARDS

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PREAMBLE:

Air tours must be among the safest types of flying. The objective of our industry is to provide access to the public's magnificent scenery for enjoyment and expansion of awareness while in the care of safe and professional operators. The standards contained in this document are established to increase safety among the TOPS members. A review of the Program of Safety Standards should be conducted annually to assure adequacy and continuous oversight.

TOPS MISSION STATEMENT:

TOPS works as a collaborative team to develop air tour safety standards and recommended practices that are progressive, best-in-class and exceed regulatory standards.

TOPS VISION:

To be the premier safety standard in the air tour industry.

DEFINITIONS:

AIR TOUR – *A flight for compensation or hire in an airplane or helicopter where a purpose of the flight is sightseeing.*

AIR TOUR OPERATOR – *Any person or organization that conducts an air tour or a sightseeing flight.*

ASSOCIATE MEMBER – *Any helicopter non-tour operator or organization supporter*

CREW – *All personnel affecting the safety of the flight.*

ENROUTE – *That segment of flight, not under ATC control or under any Letter of Agreement to, from, and between specific scenic areas.*

MANAGEMENT – *All personnel responsible for establishing policy and/or having operational control regarding the conduct of air tours.*

MAY – *Refers to a discretionary action.*

MUST – *Refers to a requirement that is mandatory.*

MUST NOT – *Refers to a prohibition.*

OVER WATER – *Any segment of a tour that is beyond engine-out gliding distance to a suitable landing site on land.*

POSITIVE SAFETY CULTURE – *the shared trust and earnest commitment of all organization members, at every level, for proactively improving safety performance.*

REGULAR MEMBER – *An air tour operator who conducts air tours for compensation or hire and has dedicated air tour operation(s) as an integral part of its business, as determined by the Tour Operators Program of Safety ("TOPS") Board of Directors; and who successfully completes an annual audit as specified in Section VII of the Program of Safety standards and remains in compliance; and who is in compliance with Article III, Section 5 and Article XIV, Section 2 of the bylaws. These requirements must be followed by all air tour operations conducted under the member's international civil aviation authority operating certificate or letter of agreement, regardless of DBA.*

SAFETY ASSURANCE – *The processes within the SMS that function systematically to ensure the performance and effectiveness of safety risk controls and that the organization meets or exceeds its safety objectives through the collection, analysis, and assessment of information.*

SAFETY MANAGEMENT SYSTEM (SMS) – T*he formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of safety risk controls. It includes systematic procedures, practices, and policies for the management of safety risk.*

SAFETY POLICY – *The certificate holder's documented commitment to safety, which defines its safety objectives and the accountabilities and responsibilities of its employees in regard to safety.*

SAFETY PROMOTION – A combination of training and communication of safety information to support the implementation and operation of an SMS in an organization.

SAFETY RISK MANAGEMENT – A process within the SMS composed of describing the system, identifying the hazards, and analyzing, assessing and effectively controlling risk.

SHOULD – Refers to a recommended practice that is optional.

SUITABLE LANDING SITE – *One in which there is a high probability of a successful landing.*

THRILL RIDE – An air tour or sightseeing flight that is marketed or conducted so that customer emotional perceptions and expectations of a flight are wrongly influenced by the assurance of inflight actions that needlessly increases risk exposure and deviates from the operation's normal safety standards. This can include, but is not limited to, high bank/pitch angles, unnecessary abrupt movements, aerobatics, minimum terrain separation/nap of the earth flying, air races, low-g maneuvers, inflight passenger movement within or outside the aircraft cabin, etc.

TRANSITIONAL MEMBER – An air tour operator who conducts air tours for compensation or hire and has dedicated air tour/sightseeing operation(s) as an integral part of its business, as determined by the TOPS Board of Directors; and who has completed a gap analysis to highlight areas of non-compliance to the TOPS standards; inclusion of a timeline for compliance of the TOPS standards within 24 months or a timeline set at the discretion of the Board of Directors; Completes the Commitment Statement to TOPS; and who is in compliance with Article III, Section 5 and Article XIV, Section 2 of the bylaws. These requirements must be followed by all air tour operations conducted under the member's international civil aviation authority operating certificate or letter of agreement, regardless of DBA.

I.   ORGANIZATION MANAGEMENT

The effective control of all safety related issues begins with an organization's management team promoting a positive safety culture and having an effective risk management process. TOPS was founded with, and has continued to emphasize the objective of maximum cooperation and open communication among its members. TOPS provides a highly effective and economical method of communicating within the TOPS community; management is urged to encourage their employees to make frequent use of the TOPS website and other Safety Management System (SMS) resources. Within all TOPS activities, members will refrain from any competition with other members, and will fully comply with all anti-trust laws. Management will recognize the absolute importance of participation in and active support of TOPS Committees*.*

A.   Management must establish and enforce the highest possible air tour standards, which will include the following:
1) Prevailing visibility in the scenic area must be three (3) nautical miles or more. Minimum of one (1) nautical mile visibility is authorized for transitory situations where airspeed is limited to eighty (80) knots.
2) Minimum enroute altitude of five hundred (500) feet AGL, except for ridgeline transitions or other legally required altitudes.
3) Angle of bank not more than thirty (30) degrees.
4) Angle of pitch not more than ten (10) degrees.
5) All of the above standards must include smooth transitions into each flight maneuver or flight profile. Management must establish standards that would avoid any perception of a tour/sightseeing flight as being a "thrill ride".
6) Prohibition on the marketing of "thrill rides" to customers.
7) Use of a pre-flight/maintenance risk assessment or briefing tool to evaluate and mitigate potential daily/flight risks.

B.   Management must establish a Safety Management System (SMS), which satisfies the requirements of the TOPS safety audit checklist and includes a business continuity and disaster recovery plan that is tested annually. In addition, Management must appoint a Safety Officer/Manager who will obtain outside training. This will include training from SMS schools offering basic and advanced safety programs such as HAI's Safety Management, Advanced Safety Management, and Pilot Human Factors. If an outside

Safety Officer/Manager is used as the Safety Officer, there must be an in-house safety designee. The SMS, the temporary safety contractor and the safety contract must be approved by TOPS and must not endure for more than one year without additional approval by TOPS.

C.   The audit system is at the heart of the TOPS Program of Safety, and Management must be familiar with the audit process. The Board approves each auditor, based on integrity, reputation, personal attributes and professional qualifications and experience in aviation safety.
  1) Subsequent to the initial independent audit required for initial membership, independent audits must be performed annually. The "Annual Audit" procedures are described in Section VII within the Program of Safety.
  2) The audit process will be comprised of two parts, (A) and (B). Part A will consist of the traditional evaluation as established by TOPS membership Part B will consist of an in-depth consultative evaluation by the auditor and presented to the subject operator. All tour sites of the audited operator will be evaluated; the audited operator will pay for all audit costs.

D.   It is the responsibility of management to establish clear operating standards, effectively communicate them to the pilots and staff, as well as provide consistent day-to-day interpretation. Pilots and staff are expected to comply with these standards, but must never compromise safety when unforeseen or unusual circumstances occur. The pilot's professional judgment will be respected at all times within these guidelines for safety of flight items.

E.   Sometimes there is conflict between noise abatement and safe practice. The company must maintain safety as the primary standard by which all air tours are conducted.
F.   Management must implement a human factors program in order to develop and maintain a culture of safety throughout the organization. The objective of this program is increased safety performance in all departments.

G.   Sightseeing flights and air tours must not conduct operations within the height/velocity curve; except when necessary for only landings, takeoffs, and approaches to and departures from in-ground-effect hover. It must be a company policy, and included in pilot training, to recognize and avoid the height/velocity curve area for the type aircraft flown.

H.   Management will endeavor to hire instrument-rated pilots to enhance its operational experience and encourages non-rated pilots to acquire their instrument rating within a reasonable time period.

I.   Management must coordinate their air tour operations with other operators flying in the same airspace. Operator meetings with TOPS members and other air tour operators must be held at least annually in order to coordinate routes, position reporting, noise, safety procedures, and other items as appropriate.

J.   Operating statistics are required to be reported annually to help share and collaborate among TOPS members and industry. Data should include:
- Number of aircraft
- Make/model of aircraft
- Number of employees
- Operating locations
- Average tour flight hours per year
- Average number of tour flights per year
- Number of passengers flown per year
- Relevant flight data for safety reporting

K.   In the event that a member company has an accident, or incident as defined by 49 CFR § 830.2 (or international civil aviation authority equivalent) that company will notify within 24 hours, via e-mail, the TOPS Chairman, with a copy to the TOPS Executive Director, the date of the accident/near accident, or incident, type aircraft, location, whether or not there were injuries/fatalities among the passengers and/or crew, and extent of damage to aircraft (minor, major, total, etc.).

L.   Management must have a process in place where customers can report a complaint directly to the operator about safety or safety of flight issues and management must maintain a record of all actions related to these complaints. This process must require upper level management involvement.

M.   Each member must have Human Factors training for the flight and Maintenance department personnel. The program must contain the following as a minimum depending upon the size and complexity of the company:
1) Training for employees and management on Scheduling and its effect on Safety.
2) A maximum of 14 hours of duty time for maintenance technicians/apprentice staff, without a responsible company representative performing a review/ risk assessment for exceeding this limit.
3) Effects on Performance and its countermeasures.
4) Quantity and quality of off duty activities.
5) Employee responsibilities.
6) Fatigue Risk Management.
7) Deviations from approved procedure.
8) Situational awareness.
9) "Dirty Dozen" (the 12 most common aviation human-factors causes of errors).

II.   **PILOT QUALIFICATIONS**

A.   The minimum Pilot-in-Command (PIC) flight qualifications are:
1) For a Regular Member as defined in the TOPS Bylaws - One thousand (1,000) hours helicopter PIC or One thousand (1,000) hours fixed wing PIC.*
2) For a Transitional Member as defined in the TOPS Bylaws - Will publish a TOPS General Operations Manual (TGOM) for its use. Pilot requirements and training will be outlined in the TGOM and will include all the TOPS requirements outlined

in section III (Pilot Training) of the Program of Safety.

> ** A Regular Member's pilot qualifications may be reduced to seven-hundred and fifty hours (750) hours PIC as long as the operator can demonstrate an alternate means of compliance in order to ensure an equivalent level of performance with the 1,000 hour requirement. The operator must have this process for an alternate means of compliance documented as a part of their Standard Operating Procedure (SOP). Documentation will be provided to the auditor and Board to substantiate the alternate means of compliance during the annual audit process for approval. The methods used to accomplish this alternate means of compliance will be determined by the operator and subject to acceptance by the standards and auditing committees.*

3) One hundred (100) hours of flying in typical terrain for which the pilot is going to be hired, or completion of a training program specifically designed for those unique conditions. This training will be recorded in the training record for each respective pilot.

4) Company checkout in make and model including ground and flight training.

B. Verification must be made of applicant pilot's certificate, flight time, and current appropriate medical certificate. Inquiry must be made to obtain applicant's accident history, certificate action, and safety performance. The FAA Pilot Records Database (PRD) is used to facilitate the sharing of pilot records. The employer must require a pilot applicant to grant consent to access their PRD Airman Records. An airmen certificate information abstract can also be obtained from the FAA Airmen Certification Branch.

III.   PILOT TRAINING

It must be emphasized to each pilot during his/her training period and on a regular basis, that flying the public for pleasure tours must be the highest calling with regard to safety, attention to detail, compliance with the requirements of the international civil aviation authority under which their type of operation is subject to, and company standards. It is the pilot's responsibility to follow all established procedures. Training must emphasize that pilots comply with the utmost standard of professionalism and report to management any violations of the TOPS Standards or any perceived dangerous operations.

A. All air tour pilots will be trained as a minimum to meet the requirements of the international civil aviation authority under which the air tour is being conducted. Additional training will include:

1) Inadvertent Instrument Meteorological Conditions (IIMC) avoidance and recovery training conducted quarterly to include:
   a. Recognition & avoidance of IMC conditions.
   b. Basic attitude flight training under the hood for:
      i.   Recovery from unusual attitudes.
      ii. Demonstration of 180 degree turns with a decent and a climb.
   c. Local area procedures for inadvertent IMC.
   d. Use of a flight training device/simulator to meet 50% of this requirement is

acceptable.
2) Performance planning to include:
   a. Density altitude conditions that are anticipated to be encountered in the operational profile.
   b. Hover in-ground effect.
   c. Hover out-of-ground effect.
3) Loss of effective anti-torque thrust.
4) Emphasized training in:
   a. Pre-flight procedures.
   b. Availability and proper use of cockpit checklists.
   c. Use of the flight manual.
   d. Basic helicopter aerodynamics to include:
      i.   Settling with power.
      ii. Ground resonance.
      iii. Dynamic rollover.
      iv. Low speed flight.
      v.   Auto-rotation characteristics (annual touchdown auto-rotation is highly recommended when practical).
   e. Recognition and avoidance of the height/velocity curve.
5) Human factors:
   a. Aeronautical Decision Making (ADM).
   b. Crew Resource Management (CRM).
   c. Fatigue Risk Management.
6) Emergency egress and survival techniques.
7) On board passenger briefing.
8) Safety Management Systems (SMS).
9) Controlled Flight Into Terrain (CFIT)
10) Airspace management and local noise abatement/sensitive areas.

B.   In addition to the required training listed above, each company must establish a regular program that includes monthly/weekly refreshers and daily briefings.

C.   All training referenced in section III above must be documented and kept in appropriate training folders. These documents must be made available to the auditor.

IV. <u>MAINTENANCE</u>

All members are required to meet the maintenance standards of FAR Part 135 (or international civil aviation authority equivalent) and those found in FAA AC136-2, Recommended Aircraft Maintenance Practices for Commercial Air Tour Operators. Maintenance must be conducted on a higher standard so as to achieve the highest possible degree of safety.

In order to increase pride in workmanship and promote safety and increased airworthiness, the following is required:

A. Technician Qualifications
   1) Technicians must be A&P licensed mechanics with at least three (3) years' experience in helicopter maintenance or have completed factory training school/course for the make and model aircraft to be serviced. There must be no more than one (1) Apprentice/assistant for each mechanic employed. Ramp attendants, refuelers, and aircraft detailers must not be considered mechanics apprentices.
   2) Verification must be made of technician's A&P certificate and past experience. The employer must require a mechanic applicant to provide an FAA abstract of his/her certificate record and auto license record.

B. Technical Training
   1) All operators must establish a training schedule that provides for at least eight (8) hours of technical training per year. This training must be pertinent to the aircraft being used by the operator for air tours.
   2) The technical department leader and/or supervisors must attend a factory or similar training course no less than once every three (3) years.
   3) Formal training will include:
      a. On-the-job training.
      b. Manufacturer provided maintenance training courses.
      c. In-house training/site specific.
      d. Human factors/fatigue risk management.
      e. Tool control.
      f. Safety Management Systems (SMS).
      An experienced mechanic, inspection authorization (IA) or director of maintenance will instruct and document the performance of maintenance training.
   4) Training records must be kept and readily available for verification during audits. An appropriate training syllabus must be maintained for each type of training given.
   5) Management is encouraged to send technical department members to Heli-Expo to attend training courses: such as Safety Management System (SMS), Aviation Quality Management Programs, Internal Evaluation and Voluntary Disclosure Programs, and Helicopter Maintenance Management.
   6) Operators are encouraged to utilize the FAA "Maintenance Technician Awards Program" and the HAI Safety Awards Program to build enthusiasm within their organizations and to achieve continually higher awards as outlined in the program.

C. Technical Department Standards
   1) The technical department must have a factory trained or other formal training program, for each employee, for each model of helicopter being maintained.
   2) All subscribers to this program will utilize the Maintenance Malfunction Information Reporting (MMIR) process on a regular basis.
   3) The first-line maintenance supervisor will coordinate with the Safety Officer to ensure implementation of the safety program.

D.   Technical Library

The technical department must maintain and make available to all maintenance personnel a current technical library including, but not limited to:

1) Appropriate manuals for aircraft operated.
2) FAR's.
3) TC Data Sheets.
4) AD's.
5) Safety Data Sheets (SDS)/Material Safety Data Sheets (MSDS).
6) Alert service bulletins issued by the manufacturers.

E.   Maintenance Contracting

Operators that contract out their maintenance must require the contractor(s) to follow the TOPS standards. The contractor(s) will be audited by the TOPS auditor to ensure compliance.

F.   Maintenance Quality Control Program

Each member must have a Maintenance Quality Control Program. The program must contain the following as a minimum depending upon the size and complexity of the company.

1) A procedure for additional verification of worked performed on certain items of maintenance which if performed improperly or if improper parts or materials are used could affect the safe operation of the aircraft. The minimum requirement is when flight controls, and/or other critical flight systems, have received maintenance, removal or installation.
2) The verification of work may be performed by any assigned trained personnel, providing a second set of eyes, and there are no regulatory inspection requirements to be met.
3) The verification must be recorded and tracked to guarantee this procedure has taken place.

G.   Tool Control Program

To help reduce the likelihood of Foreign Object Damage (FOD) related events, TOPS Members will have a clearly stated Tool Control Policy or a Procedure.

1) This Policy or Procedure must be contained in an accepted Maintenance Procedures Manual or in a letter signed by the DOM and President/CEO of the company.
2) This Policy or Procedure must contain a process for the inspection and/or accountability of all tools and maintenance materials used during maintenance on an aircraft prior to releasing that aircraft from maintenance.
3) This Policy or Procedure must include training for the use of: Best Practices, Tool Calibration-Records, Tracking and Tool Accountability, and Checklists or Forms. A record of such training must be maintained.

H.   Parts Control Program

To help reduce the likelihood of using non-conforming or contaminated parts, TOPS Members will have a clearly stated Policy or Procedure for the Inspection, Tagging and Segregating Aircraft Parts.

1) This Policy or Procedure must be contained in an accepted Maintenance

Procedures Manual or in a letter signed by the DOM and President/CEO of the company.
2) This Policy or Procedure must include training for the Inspection, Tagging and Segregating Aircraft Parts and a record of training maintained.

V.   GROUND SUPPORT PERSONNEL AND PROCEDURES

Ground personnel are an important part of the crew and provide an essential contribution to the overall safety of the tour operation.

All ground support activities must be systematically monitored by the Safety Officer. Open lines of communication must be established and maintained to allow prompt and assured reporting of hazardous situations and submission of ideas and suggestions concerning safety.

A.   Flightline
1) Qualified personnel must brief passengers from an established checklist prior to passengers entering the immediate helicopter activity area.
2) Qualified personnel must escort all passengers to the helicopter while maintaining continuous control of passengers' movements.
3) Qualified personnel must assist passengers with loading, seat belt fastening, and *will provide* any specific information relative to the aircraft and flight routine.
4) Qualified personnel must monitor and assist movement of the helicopter in congested areas or as appropriate.
5) Qualified personnel must assist passengers upon landing by opening the helicopter door, deplaning, and escorting the passengers from the helicopter activity area.
6) Walkways must be clearly identified where permitted and appropriate.

B.   Training For Ground Support Personnel
Training must be established and documented in appropriate training folders to ensure understanding and compliance with the following minimum procedures:
1) Helicopter safety and awareness both inside and outside the cabin.
2) Passenger briefing.
3) Loading and unloading passengers.
4) Ground guiding and communication with the pilot when appropriate.
5) Fueling procedures.
6) Load manifest.
7) Emergency procedures in case of ramp mishap.
8) Human factors/fatigue risk management.
9) Safety Management Systems (SMS).

C.   Flight Following
In order to provide the highest level of operational control and situational awareness for early insight to an aircraft in distress and enabling a prompt response, TOPS Members must have these flight following procedures:

1) A process and use of technology to alert the operation when an aircraft changes from a normal flight condition to a distress situation as well as accurately locating it.
   a. Alerts the aircraft operator to uncertainty regarding safe-and-normal operation of an aircraft not later than fifteen (15) minutes following the potential Distress of that aircraft.
   b. Autonomously transmit position information from which the location of a downed aircraft can be determined within three (3) nautical miles from the last position report.
2) Two-way communication must be maintained when practical.
3) Emergency notification procedures must be the responsibility of the operation's flight following personnel.
4) Overdue aircraft reaction response procedures must be established and tested on an annual basis.

D.   Fuel Policy

TOPS members must have a clearly stated Policy or Procedure appropriate for the size and complexity of the company's operations for inspecting fueling equipment and fuel prior to the first flight of each day to assure compliance with federal, state and company requirements as well as confirming fuel is free of contamination.

VI. **AIRCRAFT EQUIPMENT**

A.   All air tour aircraft must be equipped and operated with appropriate instrumentation to help pilots recover more effectively from Inadvertent Instrument Meteorological Conditions (IIMC). The installed equipment must meet, at a minimum, FAR Part 135.159 night VFR instrumentation standards (or international civil aviation authority equivalent).

B.   All air tour aircraft must have equipment installed for use with their flight following procedures.

C.   To improve occupant survivability while flying over water (or having the potential to be over water while in flight) any aircraft without a suitable land-based landing area(s) along its flightpath must be amphibious or equipped with flotation equipment to help enable a safe emergency water landing. In addition, each passenger and pilot must wear an approved personal flotation device.
   1) Regional requirement: In certain locations air tour flights necessitates frequent exposure to over water operations as well as unique geographic features that can prevent a safe/suitable landing along a shoreline due to steep slopes or confined areas (specifically, but not limited to, Hawaii). In this case, all air tour aircraft operating in this environment must be amphibious or equipped with flotation equipment to accomplish a safe emergency water landing regardless of the companies' intention for the aircraft to not fly over water. In addition, each passenger and pilot must wear an approved personal flotation device.

D.   Visibility and situational awareness of air tour aircraft is essential for assured

avoidance of collisions. Aircraft will be required to have the following anti-collision equipment installed:

    1) Alternating avoidance lights.
    2) High-visibility rotor blades.
    3) Minimum of one strobe light.
    4) All air tour aircraft operating at night in areas with high background lighting and/or ground light clutter (specifically, but not limited to, Las Vegas or New York City) must be equipped with high conspicuity lighting to improve recognition by other aircraft nearby.
    5) The use of collision avoidance technology solutions.

The above anti-collision equipment must be used at all times except when the pilot-in-command deems it inappropriate for safety reasons.

E.   To help minimize Controlled Flight into Terrain (CFIT) accidents, terrain awareness technology solutions should be considered.

F.   Flight Data Monitoring and HUMS technology solutions should be considered to aid in improving operational performance, data collection and monitoring.

VII. **MEMBER ANNUAL AUDIT**

An Annual Audit will be conducted each year for each "Regular Member" and "Transitional Member" of the Tour Operators Program of Safety. The Chairman of the Audit/Membership Committee will provide oversight for this process using the following guidelines:

A.   Minimum of three Auditors will be approved by the Board for the Annual Audits. The audit committee is responsible for qualifying auditors for the Program of Safety. Considerations for auditors will be:

- Previous audit experience.
- Previous FAR Part 135 operational experience (or international civil aviation authority equivalent).
- Documented SMS training.
- Recent helicopter industry experience.

Preference will be given to candidates with IS-BAO or equivalent auditor certification. To remain in good standing during their term(s), auditors must attend one TOPS meeting a year.

B.   With the recommendation of the Audit Committee, the Board must establish Audit procedures as necessary for conducting the Annual Audits. Auditors will rotate so no individual Auditor will Audit a specific operator more than once every two years. Auditor selections will be made no later than April 1 of the given year.

C.   Each Auditor will coordinate his schedule with each Regular Member to accommodate a convenient schedule for both the Auditor and Operator being audited.

Each Auditor should use "reasonable" efforts to establish an audit schedule that will allow those operators in a specific region the opportunity to share in common expenses for transportation, lodging, and meals.

D.   Auditors will conduct the Audits in a timely manner so that the Chairman of the Audit Committee can receive the completed audit results no later than November 30th of the given year.
    1) All discrepancies that arise during an audit must be corrected by the Member Operator and approved by the assigned Auditor. The Audit Committee will not serve as an Arbitrator between the Member Operator and the Auditor. If a question of compliance cannot be resolved during the audit process, a petition to the TOPS Board of Directors can be made at the discretion of either the Member Operator or the assigned Auditor. The Board will then provide a clarification as to the issue of dispute as it pertains to the specific requirements outlined in the Program of Safety.
    2) Any Regular Member or Transitional Member not passing an Annual Audit by November 30th of the given year, without an approved extension by the TOPS Board of Directors, will be deemed "Out of Compliance" with the terms of membership of the Program of Safety and their membership will be terminated.
    3) Any Regular Member or Transitional Member found "Out of Compliance" through uncorrected discrepancies must be required to make the necessary changes, document them and present them to the Audit Committee prior to the next TOPS meeting to remain in the Program of Safety. Should corrections not be made by the next TOPS meeting, their membership will be terminated.

E.   Any Regular Member or Transitional Member can request an early Annual Audit by following the below procedures:
    1) A written request with rationale for the request is submitted to the Chairman of the Audit/Membership Committee,
    2) The requested Audit cannot be conducted within six (6) months of any previous TOPS Audit,
    3) All discrepancies that arise during an audit must be corrected by the Member Operator and approved by the assigned Auditor within 90 days from the date that the requested early Annual Audit was completed.

F.   All completed audit reports are considered to be proprietary, and distribution is limited to the auditor, operator, the Audit/Membership Committee, the Executive Director and the Board.

VIII. NEW APPLICANT PROCESS FOR REGULAR MEMBERS AND TRANSITIONAL MEMBERS

A.   TOPS Executive Director must discuss TOPS program requirements with prospective applicants and the operator's ability to meet those requirements within six months from the date of their application.

B.   In coordination with the Chairman of the Audit Committee, the Executive Director will notify all Regular TOPS members of the potential new applicant.

C.   The applicant must attend a regular TOPS meeting after submitting an application for membership.

D.   After the applicant has attended the required meeting, the Board will review the application and determine that the applicant meets the basic requirements of the TOPS program. The Board will then instruct the Executive Director to accept payment of 50% of the annual dues and to initiate the application process.

E.   The Chairman of the Audit Committee must assign a mentor to assist in the application process and preparation for the initial audit. The mentor must provide the new applicant with advice and help in understanding the TOPS program and how to meet the program requirements. The mentor must be available via telephone, video conference and/or email to the applicant and the applicant should include its Director of Operations, Director of Maintenance and the Director of Safety or Safety Officer in communications with the mentor. While not required, it is highly encouraged for the mentor to make a site visit to the applicant's operation. Costs incurred for a mentor visit must be borne by the applicant. To assist with mentorship, the applicant will provide the mentor with a copy of the following documents: General Operations Manual, copies of the FAR Part 135 certificate and FAR Part 136 document if applicable (or international civil aviation authority equivalent). The mentor will review the program of safety, and applicant's documents and operation to ensure and/or guide the applicant to meet TOPS pre-audit conditions. Full review of the applicant's operation and documentation by the mentor and all required changes to meet the program must be complete prior to the initial audit.

F.   Once the mentor determines that the applicant is ready for their audit, the Chairman of the Audit/Membership Committee will schedule the applicant's initial audit, the cost of which must be borne by the applicant.

G.   Initial audit results will be sent to the Chairman of the Audit Committee with a copy sent to the Executive Director within 30 days of the audit.

H.   The Audit Committee must review the audit report and make a recommendation to the Board for approval or denial of membership.

I.   The Board must make a final determination of the applicant's membership. The Board must instruct the Executive Director to prepare a letter for signature of the TOPS Chairman, informing the applicant of the decision of the Board. In the event membership is not approved, the unsuccessful applicant will receive a refund of application payment less any unpaid Audit costs.

IX. REVISIONS TO THE TOPS PROGRAM OF SAFETY

All revisions to the TOPS Program of Safety must be revised or approved as per the TOPS Bylaws. A review of the Program of Safety Standards should be conducted annually to assure adequacy and continuous oversight.

Attested and certified a true and correct copy of the revised Tour Operators Program of Safety Standards this 30th day of July, 2020.

(CORPORATE SEAL)

/Tom Belew/

Tom Belew
Secretary