

PART X

CREW AND FLIGHT DUTY LIMITATIONS

*Rest Periods, Duty and Flight Time Limitations*

276. (1) This part applies in relation to any duty carried out on behalf of a national air operator by both flight crew and cabin crew as applicable.

Definitions of certain terms and applicability of this part

(2) In this Part—

“crew” means flight crew and cabin crew;

“day” means the period of elapsed time using Coordinated Universal Time or local time that begins at midnight and ends twenty-four hours later at the next midnight;

“dispatch crew” means a fully qualified crew member authorized to carry out pre-flight duties as defined by the national air operator;

“duty” means any continuous period during which a crewmember is required to carry out any task associated with the business of the national air operator;

“minimum rest period” means a period during which a crew member is free from all duties, is not interrupted by the national air operator and is provided with an opportunity to obtain not less than eight consecutive hours of sleep in suitable accommodation, time to travel to and from that accommodation and time for personal hygiene and meals and where applicable, time to check-in and out of accommodation;

“positioning” means the practice of transferring crew from place to place as passengers in surface or air transport on behalf of the national air operator;

“reporting time” means the time at which a crew member is required by the national air operator to report for any duty;

“reserve duty” means a period during which the national air operator requires a crew member who would otherwise be off duty to be available to assume duty where necessary;

“rest period” means the period of time before starting a flying duty period that is designed to give crew members adequate opportunity to rest before a flight;

“rostered duty” means the duty period or series of duty periods, with stipulated start and finish times, notified by the national air operator to crews in advance;

“scheduled duty” means the allocation of specific flight or flights or other duties to a crew member within the pre-notified rostered series of duty periods;

“sector” means a period of flight time when an aircraft first moves under its own power until it next comes to rest at the designated parking position after landing;

“split duty” means flying duty period which consists of two or more sectors separated by period less than a minimum rest period;

“standby crew” means a crew member who has been designated by a national air operator to remain at a specified location in order to be available to report for flight duty on notice of one hour or less;

“suitable accommodation” means a furnished bedroom which is subject to minimum noise, is well ventilated and has the facility to control the levels of light and temperature; and

“travelling” means all time spent by a crew member transiting between the place of rest and the place of reporting for duty and shall not count as duty time.

(3) This Part shall not apply to a flight conducted in an aircraft of which the maximum total weight does not exceed 1,600 kilogrammes and which is not flying for the purposes of commercial air transport or aerial work.

***Responsibilities of the national air operator***

Responsibilities  
Of national air  
operator

277. (1) A national air operator shall not cause or permit an aircraft to make a flight unless—

- (a) he has established a scheme for the regulation of flight times for every person flying in such aircraft as a member of its crew;
- (b) the scheme under paragraph (a) is approved by the Authority and subject to such conditions as the Authority thinks fit;
- (c) the scheme under paragraph (b) is incorporated in the Operations Manual of the national air operator;
- (d) he has taken steps to ensure that the provisions of the scheme under paragraph (b) shall be complied with by every person flying in that aircraft as a member of its crew.

(2) A crew member shall not fly, and a national air operator shall not require him to fly where either has reason to believe that such crew member is suffering or likely to suffer while flying, from such fatigue as may endanger the safety of the aircraft or its occupants.

(3) A crew member shall inform the national air operator of all flying undertaken so that the cumulative flight and duty times can be assessed against the limitations contained in these Regulations.

(4) A national air operator shall publish crew rosters in advance to allow operating crews to plan adequate pre-duty rest.

(5) The national air operator and crew members are jointly responsible for the proper control of flight and duty times.

(6) Crew members have the responsibility to make optimum use of the opportunities for rest facilities provided, and for planning and using their rest periods properly in order to minimize the risk of incurring fatigue.

(7) A crew member shall not act as a member of an operating crew where he knows or suspects that his physical or mental condition renders him unfit to perform his duties.

### ***Monitoring System***

278. (1) A national air operator shall establish a system to monitor the flight time, flight duty time and rest periods of each of his crew and shall include in his Operations Manual the details of such system.

Monitoring System

(2) Where a person becomes aware that an assignment by a national air operator to act as a crew member on a flight would result in the maximum flight time referred to in regulation 279 or the maximum flight duty time referred to in regulation 280 being exceeded, the person shall so notify the national air operator.

### ***Flight Time Limitations***

279. (1) Subject to subsection (2), a national air operator shall not assign flight time to a flight crew member and a flight crew member shall not accept such an assignment where at the beginning of the flight, the aggregate of all his previous flight times will, as a result exceed—

Flight time limitations

- (a) one hundred hours in any twenty-eight consecutive days;
- (b) one thousand hours in any three hundred and sixty-five consecutive days; and
- (c) eight hours in any twenty-four hours where the flight crew member conducts single-pilot consecutive hours Instrument Flight Rules flights or single pilot helicopter flights.

(2) Notwithstanding the requirements outlined in subregulation (1), a national air operator may assign a flight crew member for flight time, and a flight crew member may accept such an assignment, where the increase in flight time is authorized in the national air operator Certificate.

(3) Subject to regulation 283, a flight crew member who reaches a flight time limitation established by this regulation shall not continue on flight duty or be reassigned to flight duty until such time as the flight crew member has had the rest period required by regulation 280(4).

### ***Flight Duty Limitations and Rest Periods***

Flight duty  
limitations  
and rest  
periods

280. (1) Subject to regulations 281 through 283, a national air operator shall not assign a crew member for flight duty time, and a crew member shall not accept such an assignment, where the crew member's flight duty time will, as a result, exceed fourteen consecutive hours in any twenty-four consecutive hours.

(2) A crew member shall receive at least twenty-four consecutive hours free from flight duty following three consecutive flight duty time assignments that exceed twelve consecutive hours unless the crew member has received at least twenty-four consecutive hours free from flight duty between each of the three consecutive flight duty time assignments.

(3) Following a flight duty time assignment, a national air operator shall provide a crew member with the minimum rest period and any additional rest period required by these Regulations.

(4) The minimum rest period for crew shall be—

(a) at least as long as the preceding duty period; or

(b) such as to allow the crew member to have a minimum of eight hours of sleep opportunity in suitable accommodation, whichever is greater.

(5) In computing the minimum rest at subregulation (4)(b), the air operator shall take into consideration—

(a) expected travel times to and from the rest facility;

(b) hotel check-in and check-out time;

(c) time for personal hygiene and meals, so as to allow eight consecutive hours of sleep opportunity in suitable accommodation.

(6) Where any of the variables under subregulation (5), is longer than expected or there is a further delay in crews being afforded the required eight hours sleep opportunity, the minimum rest shall be increased accordingly.

(7) A pilot in command may, at his discretion, and after taking note of the circumstances of other members of the crew, reduce the rest period under subregulation (4).

(8) The rest period under subregulation (7) shall not be less than ten hours.

(9) The exercise of his discretion under subregulation (7), by the pilot in command shall be exceptional and shall not be used to reduce successive rest periods.

(10) Where the preceding flight duty period was extended, the rest period may be reduced under subregulation (7), provided that subsequent flight duty period is also reduced by the same amount.

(11) The maximum flight duty hours for cabin crew shall not exceed—

(a) sixty hours in one week but may be increased to sixty-five hours when a rostered duty covering a series of duty periods, once commenced, is subject to unforeseen delays;

(b) one hundred and five hours in any two consecutive weeks; or

(c) two hundred and ten hours in any four consecutive weeks.

(12) Notwithstanding subregulation (1), the flight duty time applicable to cabin crew may be one hour greater than for flight crew.

(13) A national air operator may, where a flight is conducted using an aircraft other than a helicopter, and the number of cabin crew is increased by the addition of at least one qualified cabin crew more than the minimum complement required, extend the flight duty time of such cabin crew on duty to sixteen consecutive hours.

(14) A national air operator may, where a flight is conducted using an aircraft other than a helicopter, and the number of cabin crew is increased by the addition of at least two qualified cabin crew more than the minimum complement required, extend the flight duty time of such cabin crew on duty to seventeen consecutive hours.

#### ***Extension of Flight Duty Time by Split Duty***

281. (1) Where flight duty time includes a rest period, such flight duty time may be extended beyond the maximum flight duty time referred to in regulation 280(1) by one-half the length of the rest period to a maximum of three hours, where—

Extension of  
flight duty  
time by split  
duty

- (a) the national air operator provides the crew member with advance notice of the extension of flight duty time;
- (b) the national air operator provides the crew member with a rest period of at least four consecutive hours in suitable accommodation; and
- (c) the rest of a crew member is not interrupted by the national air operator during the rest period.

(2) The minimum rest period following flight duty time referred to in regulation 280(1) and prior to the next flight duty time shall be at least as long as the preceding duty period.

***Extension of Flight Duty by Crew Augmentation***

Extension of  
flight duty by  
crew  
augmentation

282. (1) The national air operator may where a flight is conducted using an aircraft other than a helicopter, and the number of flight crew is increased by the addition of at least one qualified flight crew member, extend the flight duty time to fifteen consecutive hours if—

- (a) the additional flight crew member occupies a flight deck observer seat during take-offs and landings unless the observer seat is required by an Inspector, in which case, a passenger seat shall be made available for the flight crew member; and
- (b) the subsequent minimum rest period is increased by at least two hours.

(2) Where the flight crew complement is increased by the addition of at least one flight crew member and a flight relief facility is provided, the division of duty and rest shall be balanced between the flight crew members.

(3) The flight duty time under subregulation (2), may be extended to—

- (a) seventeen consecutive hours, where the flight relief facility is a seat in which case the maximum flight deck duty time for any flight crew member shall be twelve hours;
- (b) twenty consecutive hours, where the flight relief facility is a bunk in which case the maximum flight deck duty time for any flight crew member shall be fourteen hours;
- (c) a maximum of three sectors.

(4) The subsequent minimum rest period under this regulation shall be equal to the length of the preceding flight duty time.

(5) Where a flight crew is increased by the addition of at least one flight crew member in accordance with subregulation (1) or (2), the total flight time accumulated during the flight shall be logged by all flight crew members for the purposes of calculating the maximum flight times in regulation 279.

*Unforeseen Operational Circumstances*

283. (1) Flights shall be planned to be completed within the maximum flight time and maximum flight duty time taking into account—

Unforeseen  
operational  
circumstances

- (a) the time necessary for pre-flight and post-flight duties;
- (b) the sector time or times of the series of sectors comprising the flight;
- (c) the forecast weather;
- (d) turn-around times; and
- (e) the nature of the operation.

(2) The maximum flight duty time referred to in subsection 280(1) may be exceeded by a maximum of two hours where—

- (a) the flight is extended as a result of unforeseen operational circumstances, such as—
  - (i) unforecast weather;
  - (ii) an equipment malfunction; or
  - (iii) air traffic control delay,

that is beyond the control of the national air operator;

- (b) the pilot in command, after taking note of the flight and duty time circumstances of the other crew members, considers it safe to exceed the maximum flight time and flight duty time.

(3) When flight duty time is extended—

- (a) the subsequent minimum rest period for the crew shall be at least as long as the preceding duty period;
- (b) the pilot in command shall notify the national air operator, in accordance with procedures outlined in the Operations Manual of the national air operator, of the length of and the reason for the extension;

- (c) the national air operator shall retain the notifications until the completion of the next audit; and
- (d) the national air operator shall notify the Authority on the appropriate form within fourteen days of the return to base of the aircraft.

### ***Delayed Reporting Time***

Delayed reporting time

284. Where a crew member is notified of a delay in reporting time before leaving a rest facility and the delay is in excess of three hours, the flight duty time of the crew member is considered to have started three hours after the original reporting time.

### ***Requirements for Time Free from Duty***

Requirements for time free from duty

285. (1) A national air operator shall provide each crew member with time free from duty amounting to one period of at least thirty-six consecutive hours within each seven consecutive days .

(2) Where a crew member is a crew member on reserve, a national air operator shall provide him with time free from duty amounting to one period of at least thirty-six consecutive hours within each seven consecutive days.

(3) A national air operator shall notify a flight crew member on reserve of the commencement and duration of his time free from duty.

### ***Positioning Time***

Positioning time to count as duty time

286. (1) Where crew spends time performing required positioning responsibilities, all time spent on such responsibilities shall count as duty time.

(2) The flight duty period commences at the time at which the crew member reports for the positioning journey.

(3) A flight duty period may include—

(a) positioning;

(b) any form of ground duty and standby duty at an airport which preceded flying duty,

and shall be subject to maximum allowable flight duty period limits specified.

(4) Positioning and ground duties immediately following a flying duty shall not be part of the flight duty period, but shall count in computing the length of the subsequent rest period.

(5) The time spent between reporting for a flight and the completion of post flight tasks shall determine the length of the subsequent rest period.

***Other Flying by Flight crew members***

287. (1) A flight crew member shall inform the national air operator and any other employer of his services as a flight crew member, of all flight times and flying duty periods undertaken, whether professionally or privately.

Other flight crew members to inform of other times of flying

(2) The flight times and flying duty period required to be reported under subregulation (1) shall not include flight in aircraft not exceeding 1,600 kilogrammes maximum weight and not flying for the purpose of commercial air transport operations or aerial work.

(3) Aerial work under subregulation (2) shall include—

- (a) flying instruction for which the pilot is remunerated; and
- (b) where valuable consideration is given specifically for flying instruction.

(4) A national air operator shall ensure that a pilot employed as a member of a flight crew shall not exceed the flight time limitation prescribed by these Regulations.

(5) A pilot under subregulation (2) shall ensure that his flight time with the national air operator plus any other flight time he accumulates shall not exceed any flight time limitation prescribed by these Regulations.

***Crew members on Reserve***

288. (1) A national air operator shall within each twenty-four hour period of operations provide crew members on reserve during such twenty-four hour period, an opportunity to obtain at least eight consecutive hours sleep.

Requirements for flight crew members on reserve

(2) In reserving crew members for duty a national air operator may—

- (a) provide the crew member with twenty-four hours notice of the time of commencement and duration of the rest period to ensure that the designated rest period, is not shifted more than three hours earlier or later than the corresponding time of the preceding designated or actual rest period in the preceding twenty-four hours, nor more than a total of eight hours in any seven consecutive days;
- (b) provide the crew member a minimum of ten hours notice of the assignment and shall not assign him to any duty for these ten hours; or
- (c) not assign the crew member to flight duty time or interrupt his rest period between 22:00 and 06:00 local time.

(3) Where a national air operator is unable to provide a crew member with a rest period required by subregulation (1), and the crew member is notified to report for flight duty or the reporting time occurs between 22:00 and 06:00 local time—

- (a) the maximum flight duty time shall be ten consecutive hours; and
- (b) the subsequent minimum rest period shall be increased by at least one half of the length of the preceding flight duty time.

(4) A national air operator shall outline in his operations manual a method for ensuring compliance with these Regulations.

***Flights Crossing more than Four Time Zones***

Requirements  
for flights  
crossing more  
than four  
time zones

289. (1) A flight or series of flights which terminates more than four one-hour time zones from the point of departure, shall be limited to three sectors and shall be followed by a rest period that is at least equal to the length of the preceding flight duty period.

(2) Where a flight referred to in subregulation (1), is a transoceanic flight, only one sector may be completed after such transoceanic sector.

(3) An unscheduled technical stop shall not be included in computing the number of sectors for a transoceanic flight.

***Example of Flight Duty Time Schemes***

Example of  
flight and  
duty time  
schemes

290. Flight duty time schemes for aeroplane and helicopter operations shall be in the manner set out in Schedule 10, as applicable to the operations.

Schedule 10