

PART XI

COMMERCIAL AIR TRANSPORT FLIGHT RELEASE

Applicability

291. This part prescribes the requirements for a person designated by a national air operator to issue a flight release.

Applicability
of Part XI

Qualified Persons Required for Operational Control Functions

292. (1) A national air operator shall assign a qualified person to exercise the functions and responsibilities for operational control of each flight undertaken by him in commercial air transport.

Qualified
persons
required for
operational
control
functions

(1A) Where the approved method of control and supervision of flight operations of a national air operator requires the use of a flight operations officer, the operator shall delegate the responsibility for operational control only to the pilot in command and a flight operations officer.

(2) A national air operator shall ensure that—

(a) for passenger-carrying flights conducted on a published schedule, a person holding a Flight Operations Officer Authorization issued in accordance with the Civil Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004 or a person with equivalent qualification shall be on-duty at an operations base to perform the operational control functions; and

(b) for all other flights, the qualified person exercising operational control responsibilities shall be available for consultation prior to, during and immediately following the flight operation.

(3) The pilot in command shall for all flights share the responsibility for operational control of the aircraft and has the authority to make decisions regarding operational control issues in flight.

(4) Where a decision of the pilot in command differs from that recommended by the Flight Operations Officer or person with equivalent qualification such Flight Operations Officer or person shall make a record of the associated facts.

Flight Operations Officer

293. (1) A national air operator shall ensure that a flight operation officer shall not be assigned to duty unless that officer has satisfactorily completed an operator – specific training course that addresses all the specific components of its approved method of control and supervision of flight operations and —

Restrictions
on flight
operation
officer or
flight
dispatcher

- (a) made within the preceding twelve months, at least a one-way qualification flight including landings at as many aerodromes as practicable, on the flight deck of an aircraft over any area in which that individual is authorized to exercise flight supervision;
- (b) demonstrated to the national air operator adequate knowledge of—
 - (i) the contents of his Operations Manual;
 - (ii) the radio equipment in the aircraft used; and
 - (iii) the navigation equipment in the aircraft used;
- (c) demonstrate to the national air operator knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision:
 - (i) the seasonal meteorological conditions and the sources of meteorological information;
 - (ii) the effect of meteorological conditions on radio reception in the aircraft used;
 - (iii) the peculiarities and limitations of each navigation system which is used by the national air operator; and
 - (iv) the aircraft loading instructions;
- (d) demonstrate to the national air operator knowledge and skill related to human performance relevant to the duties of a Flight Operations Officer; and
- (e) demonstrate to the national air operator the ability to perform the duties of a Flight Operations Officer specified in these Regulations.

(2) A national air operator shall ensure that a Flight Operations Officer who is assigned to flight supervision duties maintains complete familiarization with all features of the operations which are pertinent to his duties, including knowledge and skill related to human performance.

(3) A national air operator shall ensure that a Flight Operations Officer is not assigned to duty after twelve consecutive months of absence from such duty unless the appropriate retraining is accomplished.

*Functions and Duties of Operational Control*Functions
and duties of
operational
control

294. (1) A Flight Operations Officer or person holding the equivalent qualification, in exercising responsibility for operational control for a national air operator shall—

- (a) authorize the specific flight operation;
- (b) ensure that an airworthy aircraft properly equipped for the flight is available;
- (c) ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
- (d) ensure that proper flight planning and flight preparation is carried out;
- (e) ensure that flight locating and flight following procedures are followed; and
- (f) for scheduled, passenger-carrying flights, ensure the monitoring of the progress of the flight and the provision of information that may be necessary to safety.

(2) A national air operator shall ensure that for passenger-carrying flights conducted on a published schedule, the Flight Operations Officer using a method of control and supervision of flight operations shall—

- (a) assist the pilot in command in flight preparation and provide the relevant information ;
- (b) assist the pilot in command in preparing the operational and Air Traffic Control flight plans;
- (c) sign the dispatch copy of the flight release; and
- (d) furnish the pilot in command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight.

(3) In the event of an emergency a flight operations officer performing the operational control duties shall—

- (a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with Air Traffic Control procedures; and
- (b) convey safety-related information to the pilot in command that may be necessary for the safe conduct of the flight, including related to any amendment to the flight plan that become necessary in the course of the flight.

(4) A Flight Operations Officer performing the operational control duties shall avoid taking any action that would conflict with the procedures established by—

- (a) air traffic control;
- (b) the meteorological service;
- (c) the communications service; or
- (d) the national air operator.

(5) Where a flight operations officer performing the operational control duties first becomes aware of an emergency situation which endangers the safety of the aircraft or persons, he shall, in addition to taking the actions required by subregulation (2), without delay notify the appropriate authorities of the nature of the situation and request assistance, where required.

Contents of a Flight Release or Operational Flight Plan

Contents of a
flight release
or operational
flight plan

295. A national air operator shall ensure that the flight release or operational flight plan when used as a flight release document contains at least the following information concerning each flight:

- (a) the company or organization name;
- (b) make, model, and registration number of the aircraft being used;
- (c) the flight or trip number, and date of flight;
- (d) the name of each crew member;
- (e) the departure aerodrome, destination aerodromes, alternates aerodromes and route;
- (f) the minimum fuel on board, in imperial or metric measurements;
- (g) a statement of the type of operation such as Instrument Flight Rules or Visual Flight Rules;
- (h) the latest available weather reports and forecasts for the destination aerodrome and alternate aerodromes; and
- (i) any additional available weather information that the pilot in command considers necessary.

Aircraft Requirements for Flight Release

296. (1) A national air operator shall ensure that a flight release for a commercial air transport operation is not issued unless the aircraft is airworthy and properly equipped for the intended flight operation.

Requirements for aircraft flight release

(2) A national air operator shall ensure that a flight release for a commercial air transport operation using an aircraft with inoperative instruments and equipment installed is not issued, except as specified in the Minimum Equipment List approved for the national air operator for that type aircraft.

Facilities and Notices to Airmen for Flight Release

297. (1) A national air operator shall ensure that an aircraft over any route or route segment is not issued a flight release unless there are adequate communications and navigational facilities in satisfactory operating condition as necessary to conduct the flight safely.

Required facilities and notices to airmen for flight release

(2) A Flight Operations Officer or person holding equivalent qualification shall ensure that the pilot in command is provided all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may affect the safety of the flight.

(3) A Flight Operations Officer or person holding equivalent qualification shall ensure that a pilot in command is provided with all available Notices to Airmen with respect to the routing, facilities and aerodromes for his review of the operational flight plan.

Weather Reports and Forecasts required for Flight Release

298. (1) A Flight Operations Officer or a person holding equivalent qualification shall not release a flight unless he is thoroughly familiar with reported and forecasted weather conditions on the route to be flown.

Weather reports and forecasts required for flight release

(2) A Flight Operations Officer or person holding equivalent qualification shall not release a flight unless he has communicated all information and concerns he may have regarding weather reports and forecasts to the pilot in command.

Flight Release in Icing Conditions

299. (1) A Flight Operations Officer or person holding equivalent qualification shall not release an aircraft, when in his opinion or that of the pilot in command, expected or actual icing conditions exceed that for which the aircraft is certified and has sufficient operational de-icing or anti-icing equipment.

Procedures for flight release in icing conditions

(2) A national air operator shall ensure that an aircraft is not released when weather conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is available to the pilot in command at the aerodrome of departure, adequate facilities and equipment to accomplish the ground de-icing and anti-icing procedures approved for the national air operator by the Authority.

(3) A national air operator shall ensure that before an aircraft is released in icing conditions the requirements set out in Schedule 11 are met.

Schedule 11

Flight Release under Visual Flight Rules or Instrument Flight Rules

Flight release under Visual Flight Rules or Instrument Flight Rules

300. A national air operator shall ensure that a flight is not released under Visual Flight Rules or Instrument Flight Rules unless the weather reports and forecasts indicate that the flight can reasonably be expected to be completed as specified in the release.

Minimum Fuel for Flight Release

Required minimum fuel supply for flight release

301. (1) A national air operator shall ensure that a flight release is not issued for a commercial air transport operation unless the fuel on board specified in the release is equivalent to or greater than the minimum flight planning requirements of these Regulations, including anticipated contingencies.

(2) A national air operator shall issue operating instructions and provide information on aircraft climb performance with all engines operating to enable the pilot in command to determine the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.

Aircraft Loading and Aircraft Performance Requirement for Flight Release

Aircraft loading and performance requirement for flight release

302. A Flight Operations Officer or a person holding equivalent qualification shall not issue a flight release unless he is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation shall not exceed the—

- (a) center of gravity limits;
- (b) aircraft operating limitations; and
- (c) minimum performance requirements, of the aircraft.

Amendment or Re-release En-Route Requirement for Flight Release

Amendment or re-release en-route requirements for flight release

303. (1) A Flight Operations Officer or a person holding equivalent qualification and pilot in command who amends a flight release while the flight is en-route shall record the details of such amendment.

(2) A Flight Operations Officer or a person holding equivalent qualification and pilot in command shall not amend the original flight release to change the destination or alternate aerodrome while the aircraft is en-route unless the flight preparation requirements for routing, aerodrome selection and minimum fuel requirements are met at the time of amendment or re-release.

(3) A pilot in command shall ensure that a flight is not allowed to continue to an aerodrome to which it has been released where the weather reports and forecasts indicate changes which would render that aerodrome unsuitable for the original flight release.

Flight Release with Airborne Weather Radar Equipment

304. A national air operator shall not release a large aircraft carrying passengers under Instrument Flight Rules or at night when current weather reports indicate that thunderstorms or other potentially hazardous weather conditions that can be detected with airborne weather radar, may reasonably be expected along the route to be flown, unless the airborne weather radar equipment is in satisfactory operating condition.

Flight release with airborne weather radar equipment

Implementing Standards

305. The holder of an airman licence under these Regulations in meeting the requirements of Regulations 8, 12, 13, 15 through 25, 30, 32, 33,46 (4), 46(5), 50, 52, 61, 62, 66, 67, 68, 69, 70, 71, 72, 73, 74, 77, 94, 95, 100, 104, 106, 118, 130, 136, 143, 189, 190 through 191, 194, 199, 200, 201, 208, 210, 211, 212, 214, 215, 216, 219, 260, 261, 262, 263, 264, 265, 270 and 297 through 299, shall ensure that he complies with the minimum implementing standards set out in Schedule 12.

Air operator to comply with minimum standards

Schedule 12

Director General may amend Schedules

306. The Director General may by Order amend any of the Schedules.

Director General may amend the Schedules

Transitional Provisions

307(1). The requirements of these Regulations shall come into effect ten months from the date of publication of these Regulations.

Transition Provisions

(2) Notwithstanding subregulation (1), a person exercising the privileges of an operator immediately prior to the commencement of these Regulations, may continue to do so under the conditions of his existing approvals until 24th September, 2005 and thereafter shall meet the requirements of these Regulations.

(3) Notwithstanding subregulation (2), an operator of an aircraft of maximum certified take-off mass of less than 20,000 kilogrammes, shall meet the requirements of these Regulations on or before September 30th, 2009.

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