

Reaction form | CRD OPS II

CRD to NPA 2010-14: IR and CS on flight and duty time limitations and rest requirements for CAT with aeroplanes

Name: UK Civil Aviation Authority

Document	Reference	Proposal / comment	Justification
<i>CRD to NPA 2010-14</i>			
	Article 7,1	Include references: Sole Night Operations Ultra Long Range Operations Balloons	Clarity as these areas are subject to additional rulemaking tasks.
	ORO.FTL.105	Acclimatised:- Rework definition "A crew member is acclimatised to a two hour wide time zone surrounding the local time of his/her duty point of departure when sufficient time has been spent in that time zone following completion of the previous duty. Where the local time of the place where the duty ends differs by more than 2 hours from that at the place where the duty commenced the crew member is considered to be acclimatised in accordance with the table below.	Suggested further clarity of definition and use of table.

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		<p>The table shows the minimum length of time needed for a crew member to become acclimatised to the local time of the new location. Use of this table is required in order to select the correct FDP table and time band for FDP calculation.”</p> <p>Insert the table</p> <p>“B = no adaptation. Acclimatised to previous departure point</p> <p>D = acclimatised to local time of the reporting point</p> <p>X = unknown state of acclimatisation”</p>	
	ORO.FTL.105	<p>In the definition of “Duty”, change the definition to include the phrase “including but not limited to”. The definition would then commence:</p> <p>““Duty” means any task that a crew member performs for the operator including but not limited to</p>	<p>To try to ensure that other fatigue inducing activities not included in the definition and to which the operator may at some time in the future assign a crew member to, are also to be reckoned for the purposes of FTL and fatigue management.</p>
	ORO.FTL.105	<p>Change the verb “may” in the definition of “Flight Duty Period” to “shall”. The start of</p>	<p>If an FDP does not contain a flying duty it cannot be a “flying duty period”, it is then</p>

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		<p>the definition will then read:</p> <p>“Flight Duty Period (FDP) means a period which commences when a crew member is required to report for duty, which shall include a flight or series of flights”</p>	<p>just a duty.</p>
	<p>ORO.FTL.105</p>	<p>Include in the Flight Time definition an additional phrase concerning helicopters. The definition would then read:</p> <p>“Flight Time means for, for aeroplanes, touring motor gliders and helicopters, the time from an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and all engines shut down with propellers and rotor blades stopped”.</p>	<p>As ORO FTL Section 1 contains general regulations covering all aircraft activity it should include helicopters. (This is unless it is planned to amend ORO.FTL.100 as part of the future rulemaking tasks on FTL.)</p>
	<p>ORO.FTL.105</p>	<p>Reword the definition to: ‘Positioning’ means the transferring of a non-operating crew member from one place to another at the behest of the operator excluding:</p> <p>(1) the time from home to the designated reporting place at home base and vice versa; and</p> <p>(2) the time for local transfer from a place of rest to the commencement of duty and vice</p>	<p>Clarity as the current text is ambiguous.</p>

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	ORO.FTL.105	In the definition of "rest facility" there appears to be a typo in line 3 of the paragraph referring to the Class 1 facility. Suggest "passengers cabin" is replaced with "passenger cabin"	Clarity
	ORO.FTL.105	<p>In the definition of "Rest period", delete "of time" and at the end of the definition give some indication as to what the crew member should be doing e.g. recovery/resting for duty. The definition could then read something like:</p> <p>"Rest Period" means a continuous period subsequent to and /or prior to duty, during which a crew member is free from all duties and is expected to use some or all of the period to recover from a duty or to rest so as to be ready for a subsequent duty"</p>	<p>For consistency and clarity, as in all the earlier definitions where "period" has been used, "of time" has not been used.</p> <p>In addition, to add some indication of what the rest period should be used for is also consistent with earlier definitions</p>
	ORO.FTL.105	In the definition of "Rotation" the phrase "when returning to home base...." should read "when back at home base"	For clarity, as the verb form "returning" is inappropriate in this context. "And back at" gives the definition of "rotation" a definitive end point.

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	ORO.FTL.105	<p>There is no definition of "split duty". The following definition is suggested:</p> <p>"Split Duty" means a flying duty period which consists of two or more sectors, the first of which can be a positioning sector, separated by less than a minimum rest period".</p>	<p>A definition of "split duty" is felt to be necessary to ensure consistent application of this concept. The suggestion also incorporates the word "sector". If this definition of "split duty" is accepted it will also be necessary to define "sector" which is also used later in ORO.FTL.210 in the "Maximum daily FDP" table.</p> <p>Suggest "'Sector" is the time between an aircraft first moving under its own power until it comes to rest after landing on a designated parking position."</p>
	ORO.FTL.105	In the definition of "Standby" delete "of time".	For consistency, as in all the earlier definitions where "period" has been used, "of time" has been omitted.
	ORO.FTL.105	<p>Under "Suitable accommodation" delete the word "minimum" in front of "rest" and add "periods". The first line would then read:</p> <p>"Suitable accommodation" means, for the purposes of standby, split duty and rest periods"</p>	For consistency with previous definitions.
	ORO.FTL.110	<p>Suggest that it be changed to read:</p> <p>"An operator shall:"</p>	The phrase "where applicable to the type of the operation", is felt to be insufficient and appears to afford an operator the ability to

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			<p>state that none of these responsibilities are part of his operation.</p> <p>As this requirement would be under a management system (ORO.GEN.200) the proportionality is within that regulation.</p>
	ORO.FTL.110 (i)	33 % is too high; it should be changed to a lower percentage possibly somewhere in the region of 10% to 20%. In addition, the phrase "maximum flight duty period" should be changed to read "maximum flight duty period that the operator can plan."	An allowance of 33% of flights exceeding maximum FDP limits is considered too high, as experience has shown that scheduled seasonal periods often require flights that are very close to the maximum that can be planned and can often lead to commanders needing to use their discretion to extend the FDP.
	ORO.FTL.115	Proposal – rewrite such that "Operators shall inform crew members of their responsibilities under (a) and (b).	OROs are "Organisation Responsibilities", Crew member responsibilities are in CAT.GEN.MPA.100.
	ORO.FTL.210(a)(1)	Add "and specified in the operations manual approved by the Authority".	To highlight to the operator and the Authority that reporting times must always be appropriate to the operation and allow sufficient time for pre-flight duties. This harmonises with ORO.FTL.215(c).
	ORO.FTL.210 (b)	Amend the title and text throughout the regulation so that the words read "Basic"	The use of the word maximum with FDP implies that an FDP cannot be increased in any way, when the regulations allow for the

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		rather than "Basic Maximum".	basic FDP to be increased through extension, split duty, in-flight rest and commander's discretion.
	ORO.FTL.210(c)(3)	Add " or when the crew is in an unknown state of acclimatisation"	This is implied in the regulations but not specifically stated.
	ORO.FTL.210(e)(1)(i)	Delete "and (c)"	The provisions of Subpart Q are those that should have been transposed, which state the basic FDP may be increased by 2 hours for unaugmented crew or three hours for augmented. This would then correspond with the background information sent to NAA's.
	ORO.FTL.210 (e)(3)	The expression "shall consult" should be changed to something like: "shall take account of the circumstances of all other crew members including their alertness levels....."	The requirement to "consult" is felt to be too lenient a requirement whereas to "take account" requires that some attention should be paid to the results of the commanders inquiries.
	ORO.FTL.210(e)(5)	Change the 28 day reporting limit to 14 days.	The period of 28 days from a reportable FDP/rest event to notify the competent authority is felt to be too long and could allow for events to be forgotten.

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	ORO.FTL.220	<p>Reword the start of the first sentence to read "If operators assign positioning to crew members, ..."</p> <p>Add at the end of paragraph (a) "unless the crew member is required to operate a vehicle."</p>	<p>Grammar correction</p> <p>Positioning is sometimes carried out by the crew member either in their own car or a hire car. This addition will permit this but will take account of the fatiguing effect of driving.</p>
	ORO.FTL.225(a)(2)	Change the word "Possibility" to "ability".	The word "possibility" implies that it might not occur. The "ability" means that it has been enabled such that it can happen. (See CRD, page 13 paragraph 43)
	ORO.FTL.225	<p>Proposal – new sub-paragraph (d) – " if at the start of an FDP a positioning journey is consecutively followed by less than a minimum rest period and a split duty is claimed, then the positioning journey shall count as a sector" .</p> <p>Comment – this requirement might be better placed in the CS (CS.FTL.1.225).</p>	According to the new definition proposed above, the split duty can only be claimed between 2 or more operating sectors.
	ORO.FTL.230	Rewrite the start of the first sentence to "If an operator assigns a crew member a standby duty, the following shall be included	Clarity

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		in the Certification Specification:"	
	ORO.FTL.230(b)(3)	Delete the word "basic"	Clarity
	ORO.FTL.235(a)	The word "provided" should be omitted. The start of the sentence under (a) would then read: "The minimum rest period before undertaking an FDP"	Clarity
	ORO.FTL.235(a)(2)	Delete all after "comply with (b)"	See UK CAA comment on ORO.FTL.235(b)
	ORO.FTL.235(b)	Following the end of the last sentence add "The operator shall provide suitable accommodation for crew members."	Clarity
	ORO.FTL.235(c)	Re-order the sub-paragraphs to (1) (3) (2)	Clarity as this is the order of the application of the sub-paragraphs.
	ORO.FTL.245 (b)	Add a new (1) to require the operator also to provide such records on request to the competent authority, and then renumber subsequent points. Insert new (1) "the competent authority:"	To give an authority the ability to request individual records. Clarity

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		<p>Current point (1) could be reworded to read "an individual crew member"</p> <p>Current point (2) could be reworded to read "another operator, in respect of a crew member who is or is about to become a crew member of the other operator".</p>	Clarity
	ORO.FTL.250 (a)	Delete the word "concerned"	Clarity. All management need to be aware of the effect of fatigue.
	CS.FTL.1.205	Suggest AMC to define permanence	Clarity. The meaning of permanence appears to be an area of uncertainty and further guidance of the meaning and intent of the regulation in this area.
	CS.FTL.1.205	<p>Suggest the addition of an additional sub-paragraph to read:</p> <p>"With the approval of the Authority the Operator may assign a multi-airport home base.</p>	<p>Flexibility for both crew member and operator within controlled circumstances.</p> <p>(AMC material will be required.)</p>
	CS.FTL.1.210 2	Delete the rows in the table between 0600-0614 and 1900 to 0559.	Clarity to amend the table to refer only to what is applicable.
	CS.FTL.1.210 3	Add new paragraph:	The regulation needs to recognise the acclimatisation state of the crew member as

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		“(h) The FDP derived from (b) and (c) must be reduced by 50% of the WOCL encroachment to a maximum of 2 hours. Where the crew member is in an unknown state of acclimatisation the limits in (b) and (c) shall be reduced by 2 hours. Where the operator has an FRM approved by the Authority these reductions to the FDP limits do not apply.”	demonstrated by the research as shown in the NPA and supported by the scientists’ reports. The planned basic FDP takes into account the WOCL encroachment and the same methodology, but quantified, needs to apply to these increased limits.
	CS.FTL.1.225(d)	Rewrite to read “Suitable accommodation is provided for a break of either 6 hours or more or for a break that encroaches the WOCL.”	Clarity
	CS FTL.1.230 1 (d)(2)	Add after “if accommodation” the words “approved by the Authority.”	Strengthening the oversight of the specification of the accommodation provided in relation to Airport Standby. Also see additional proposed AMC material with regard to the use of accommodation for airport standby.
	CS FTL.1.230 1 (d)(2)	Amend the second part of the sentence to read “The maximum FDP is reduced by: (i) any time spent on standby in excess of 4 hours outside the period 23:00 hours to	Clarity of the application of the regulation.

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		07:00 hours; and (ii) any time spent on standby between 23:00 hours and 07:00 hours."	
	CS FTL.1.230 2 (a)	Add additional sub-paragraph "(8) The maximum time a crew member can be short-call standby shall not exceed a total of 60 hours in 7 consecutive days."	To manage cumulative fatigue of combining long periods of immediate readiness for duty and irregular scheduling.
	CS FTL.1.235 1 (b)	Add at the end of the sentence "which includes 3 local nights."	To assist recovery from disruptive schedules by allowing crew members to sleep during their WOCL.
	CS FTL.1.235 2 (b) (1)	Re-write as follows: "Where an FDP that has encompassed more than 4 time zones and ends at home base the minimum rest is as specified in the following table and includes at least 2 local nights.""	Clarity
	AMC1 ORO.FTL.110(b) (new)	Add "Operators should ensure that where crew members report for FDP's of over 10 hours between 2200 and 0400, that the effects of such duties are actively managed in relation to the surrounding duties and rest periods."	Additional responsibilities specifically related to the effects of long FDP's duties during the WOCL.

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	AMC1 ORO.FTL.215(a)(2) (new)	Add "Duty hours for 14 consecutive days should have a planning limit of 100 hours. Post roster issue this can be increased to 110 due to disruption or standby callout."	To ensure that the duty hours are spread as reasonably as practical.
	AMC1 ORO.FTL.235(b)	Proposal – include "the room allocated to the crew member must be available for at least 9 hours"	Clarity of the intent and to allow for adequate rest.
	GM1- CS.FTL.1.210(3)(d)	Amend reference to GM1- CS.FTL.1.210(3)(a)(2)	Clarity. The reference used refers to a cabin crew requirement when the rule for in-flight rest is in CS.FTL.1.210(3)(a)(2)
	AMC1 CS.FTL.1.230 1 (b)(2) (new)	Add "The sum of airport standby (using accommodation) and the planned FDP should not exceed 16 hours for unaugmented flight crew and for 50% of the cabin crew complement."	Fatigue mitigation to manage the overall alertness requirements of the crew.
	GM1 CS FTL.1.205	Include in CAT.GEN.100.MPA 100 or as GM under ORO.FTL.115	This is a crew member requirement. See UK CAA comment to ORO.FTL.115
	AMC1 CS FTL.1.235(2)(b)(i)	Typo in the reference – it should be (2)(b)(1)	Consistency between the numbering of the rule and the numbering of the AMC.