


OPERATIONS ADVISORY NOTICE (OAN)		 Transport Malta Civil Aviation Directorate Flight Operations Inspectorate Vjal L-Avjazzjoni Luqa LQA 9023 Malta
OAN Number: 03/2016	Issue Date: 23/05/2016	
Subject: Flight Time Limitations Guidelines for Non-Commercial Operations with Complex Motor Powered Aeroplanes		

1.0 Introduction

- 1.0.1 In accordance with Article 8 of the Cover Regulation (EU) 965/2012 the flight time limitations of non-commercial operations, including non-commercial specialised operations, with complex motor-powered aeroplanes (CMPA) and helicopters, as well as commercial specialised operations with aeroplanes, helicopters, balloons and sailplanes shall continue to be conducted in accordance with applicable national flight time limitation legislation until the related implementing rules are adopted and apply.
- 1.0.2 The limits set out in this OAN may make reference to [EU-OPS Subpart Q](#), Subpart FTL in Annex III (EU 965/2012) and [OSC 08/08](#) issued by the Civil Aviation Directorate.

1.1 Applicability

- 1.1.1 This OAN serves as general guidelines for;
- i.non-commercial operations, with complex motor-powered aeroplanes; and
 - ii.non-commercial operations with aircraft listed in the ops specifications of an AOC (ORO.AOC.125).
- 1.1.2 Any operators wishing to deviate from such scheme are required to document any differences in their OM and provide sufficient evidence that such deviations are based on FRM principles and that sufficient mitigating factors have been taken into account.

2.0 Scope

- 2.0.1 For crew members who are engaged in commercial air transport, the provisions of EU-OPS Subpart Q or Subpart FTL shall apply as applicable.
- 2.0.2 For crew members who are engaged in commercial air transport and non-commercial duties on consecutive days (see Appendix 1) falling within the scope of this OAN, the most restrictive limits of the applicable regulations of EU-OPS Subpart Q (in conjunction with OSC 08/08) or Subpart FTL shall apply.

3.0 Definitions

- 3.0.2 Disruptive schedules are not applicable for the purpose of this policy.

4.0 Operator / Crew member's Responsibilities

- 4.0.1 An operator shall ensure that for all its flights, the flight and duty time limitations set out by this OAN are adhered to.
- 4.0.2 The provisions of EU-OPS 1.1090 (3) and (4) shall apply.

5.0 Limits and Differences

- 5.0.1 Unless otherwise specified, the limits applicable for non-commercial operations with CMPA are those established by EU-OPS Subpart Q. The difference in limits as applicable to non-commercial operations is highlighted in the next section.

5.1 *Maximum Flight Duty Period (FDP)*

- 5.1.1 The maximum basic daily FDP is 14 hours;
- 5.1.2 These 14 hours will be reduced by 30 minutes for each sector from the third sector onwards with a maximum total reduction of two hours;
- 5.1.3 When the FDP starts in the WOCL, the maximum stated in point 5.1.1 and point 5.1.2 will be reduced by 100 % of its encroachment up to a maximum of two hours. When the FDP ends in or fully encompasses the WOCL, the maximum FDP stated in point 5.1.1 and point 5.1.2 will be reduced by 50 % of its encroachment.
- 5.1.4 All the time spent on positioning is counted as duty.
- 5.1.5 Positioning after reporting but prior to operating shall be included as part of the FDP but shall not count as a sector.
- 5.1.6 A positioning sector immediately following operating sector will be taken into account for the calculation of minimum rest as defined in 5.4.

5.2 *Planned Extensions*

- 5.2.1. The maximum daily FDP can be extended by up to one hour;
- 5.2.2. Extensions are not allowed for an FDP of more than five sectors;
- 5.2.3. Where an FDP encroaches on the WOCL by up to two hours extensions are limited to up to four sectors;
- 5.2.4. Where an FDP encroaches on the WOCL by more than two hours extensions are limited to up to two sectors;
- 5.2.5. The maximum number of planned extensions is two in any seven consecutive days;
- 5.2.6. When an FDP is planned with an extension, minimum rest shall be increased by two hours before the duty period and two hours after the duty period.

5.2.7 When the rest before the duty period cannot be allocated, a four hour rest period can be aggregated after the duty period. When the extensions are used for consecutive FDPs the pre and post rest between the two operations shall run consecutively;

5.2.7. When an FDP with extension starts in the period 22.00 to 04.59 the operator will limit the FDP to 12:45.

5.3 Split Duty

5.3.1 The limits set out in OSC 08/08 apply.

5.4 Minimum Rest

5.4.1 The minimum rest which must be provided before undertaking a flight duty period shall be as follows –

- a) 9 hours for duty periods not longer than 8 hours;*
- b) 10 hours for duty periods longer than 8 hours but less than 10 hours;
- c) As long as the preceding duty for duty periods longer than 10 hours.

5.4.2. The operator must allow for an eight hour sleep opportunity taking due account of travelling and other physiological needs;

** Note – If the minimum rest does not provide sufficient time for travelling and other physiological needs, the rest shall be increased by an amount agreed by all crew members.*

5.4.3 These limits apply to rest periods both at home base or away from base;

5.4.4 An operator shall ensure that effects of time zone differences on crew members will be compensated by additional rest, as regulated by OSC 08/08.

5.4.5 The operator shall ensure that a 36 continuous hours, including two consecutive nights, in seven-day period is given.

5.5 Reduced Rest

5.5.1 Minimum rest may be reduced by up to one hour however the minimum rest shall not be less than the preceding duty period or 9 hours whichever is the greater;

5.5.2 In unforeseen circumstances the minimum rest may be reduced by up to 2 hours however the minimum rest shall not be less than the preceding duty period or 9 hours whichever is greater;

5.5.3 When the minimum rest periods are reduced, the subsequent rest period shall be increased by the amount that the preceding rest period has been reduced;

5.5.4 The maximum number of reductions in rest is two in any seven consecutive days;

5.6 Extension of FDP due to in-flight rest (Augmented Crew)

5.6.1 The provisions of OSC 08/08 apply with the following differences –

- a) 3 Pilots: The applicable FDP may be increased by three hours up to a maximum of 17 hours.
- b) 4 Pilots: The applicable FDP may be increased by four hours up to a maximum of 19 hours.
- c) Maximum FDP for augmented cabin crew as follows:

Uninterrupted rest of at least 25% of total block time = 17 hours.

Uninterrupted rest of at least 30% of total block time = 19 hours.

5.6.2 In-flight rest shall be taken in facilities that meet either of the below criteria –

- a) 'Class 1 rest facility' a bunk or other surface that allows for a flat or near flat sleeping position. It reclines to at least 80° back angle to the vertical and is located separately from both the flight crew compartment and the passenger cabin in an area that allows the crew member to control light, and provides isolation from noise and disturbance;
- b) 'Class 2 rest facility' a seat in an aircraft cabin that reclines at least 45° back angle to the vertical, has at least a pitch of 55 inches (137,5 cm), a seat width of at least 20 inches (50 cm) and provides leg and foot support. It is separated from passengers by at least a curtain to provide darkness and some sound mitigation, and is reasonably free from disturbance by passengers or crew members;
- c) 'Class 3 rest facility' a seat in an aircraft cabin or flight crew compartment that reclines at least 40° from the vertical, provides leg and foot support and is separated from passengers by at least a curtain to provide darkness and some sound mitigation, and is not adjacent to any seat occupied by passengers.

5.6.3 The minimum in-flight rest period is a consecutive 90-minute period for each crew member and 2 consecutive hours for the flight crew members at the airplane controls during landing.

5.6.4 When a FDP is extended due to in-flight rest, the maximum number of sectors is 3.

5.7 Unforeseen circumstances in actual flight operations – commander's discretion

5.7.1 Taking into account the need for careful control of these instances implied underneath, during the actual flight operation, which starts at the reporting time, the limits on flight duty, duty and rest periods prescribed in this OAN may be modified in the event of unforeseen circumstances. Any such modifications must be acceptable to the commander after consultation with all other crew members and must, in all circumstances, comply with the following:

- 5.7.2 The maximum FDP referred to in 5.1 above may not be increased by more than two hours unless the flight crew has been augmented, in which case the maximum flight duty period may be increased by not more than three hours;
- 5.7.3 If on the final sector within a FDP unforeseen circumstances occur after takeoff that will result in the permitted increase being exceeded, the flight may continue to the planned destination or alternate;
- 5.7.4 In the event of such circumstances, the rest period following the FDP may be reduced but never below the minimum rest defined in 5.4;
- 5.7.5 The Commander shall, in case of special circumstances, which could lead to severe fatigue, and after consultation with the crew members affected, reduce the actual flight duty time and/or increase the rest time in order to eliminate any detrimental effect on flight safety;

5.8 Standby

- 5.8.1 The provisions of EU-OPS 1.1125 and OSC 08/08 apply without changes.

5.9 Cabin Crew

- 5.9.1 For cabin crew being assigned to a flight or series of flights, the FDP of the cabin crew may be extended by the difference in reporting time between cabin crew and flight crew, as long as the difference does not exceed one hour.

5.10 Records

- 5.10.1 The provisions of EU-OPS 1.1135 shall apply.

Flight Operations Inspectorate

APPENDIX 1

