EASA Flight Time Limitations (FTL) - Q & A

CAP 1265

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General information

When is the new EASA Regulation for FTL applicable?	Commission Regulation (EU) 83/2014 is applicable from 18 February 2016.
Which types of operator does the EASA Regulation FTL apply to?	The regulations apply to aeroplane Part-CAT operators.
Are there any exemptions?	Air Taxi operators (where they operate aeroplanes of 19 seats or less), Emergency Medical Services, and Single Pilot Operations will be covered by a future rulemaking task. These exempted areas will remain under UK national legislation for now. Some air taxi operators may choose to use the new regulations, but this will only be considered once those operators directly affected have transitioned.
Do the new EASA FTL regulations apply to Cargo operations?	Yes.
Would a two-crew aeroplane with a MOPSC of more than 19 be required to comply with the new EASA FTL regulation if only operating 'non scheduled on demand'?	Yes. Because of the number of seats, the operation would no longer be classed as 'Air Taxi' and therefore, the new regulation would become mandatory.

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Where an aeroplane operation is a mixture of two-crew and single crew and/or a mixture of scheduled and 'Air Taxi' operations, does the new EASA FTL regulation apply?	If any part of the operation includes activities other than Air Taxi, EMS or Single Pilot, then the new regulations would apply. In the case of combined single/two- crew operations for operators who are covered by the new regulation, the CAA would use the single pilot 'tables' from CAP371 as no equivalent single pilot Flight Duty Period (FDP) limits are contained in the new regulation.
What is the submission process for new FTL schemes?	The operator should complete the compliance checklist within the CAA guidance to developing an FTL scheme (Appendix 1 from EASA FTL Regulations – combined document page 4 – 8). If a requirement is not applicable to your flight time specification scheme complete column with N/A. Return the completed checklist to your flight operations inspector together with the updated OM Part A Section 7, the Notice of Proposed Amendment form, the operators transition safety case and the associated processes and procedures that support the application to npa@caa.co.uk . A desktop review of these documents will be completed and we will arrange an audit of the operator's processes and procedures. The FTL approval will not be granted until all the processes and procedures required under the regulations have been reviewed and accepted. When the operator successfully passes this audit the CAA will issue the new approval.
What other legislation has an impact on crew members in the UK?	The Civil Aviation (Working Time) regulations (CA(WT)R) 2004, which came into force on 13 April 2004. This was amended by The Civil Aviation (Working Time) (Amendment) regulations 2010, which came into force on 28 June 2010.

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What are the CA(WT)R limitations that are of particular impact?	▪ Regulation 7 (2)a (2004) **Pattern of work** ▪ Regulation 9 (2004) **Maximum annual working time** ▪ Regulation 9A (2010) **Standby time** ▪ Regulation 10 (2004) **Rest Days**
Will the CA(WT)R be audited as part of the FTL transition process?	The limitations of the CA(WT)R have been and continue to be audited by the CAA as part its routine oversight. Where the operator chooses to use the reduced duty hours from home standby, there needs to be an additional method for tracking annual duty hours for the working time directive.
Where there is a conflict between the new FTL regulation and the CA(WT)R, which takes precedence?	The more stringent requirements will apply.

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What are the timelines for the EASA FTL transition process?	Operators can apply for a new EASA compliant FTL Approval from November 2014. The application process will take at least three months and will involve scrutiny of the proposed FTL scheme and visits to the operator. We will issue EASA compliant FTL Approvals from February 2015, subject to meeting all applicable requirements. The process will take considerably longer if the application includes one or all of the following: ▪ the use of FRM for an operator that does not already have an FRMS approval ▪ an Article 22 request ▪ any 'Alternative Means of Compliance' (AltMoc). The latest date to apply for an EASA compliant FTL Approval will be 18 November 2015. There is no guarantee that applications received after this date will be processed in time. All applicable operators must be in possession of an EASA compliant FTL Approval by 18 February 2016. Existing UK ANO FTL Approvals will no longer be valid after this date. **Article 22 requests** For Article 22 requests, the operator will need to develop a safety case, develop FRM for their operation and present this case to us. Once we are satisfied with the data, FRM and safety case the application for an individual scheme will then be sent to EASA. EASA will then take approximately three months to review and accept the application. We will be setting a fee for Article 22 applications. As soon as this is agreed, the fee will be published in the scheme of charges.

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What will happen to UK issued FTL 'Variations' (e.g. Level 1/2, Self Drive Positioning, alternative base etc) and other non standard 'legacy' text contained in UK FTL schemes?	All FTL schemes must comply with the requirements set out in Commission Regulation (EU) 83/2014 and associated Certification Specifications. UK FTL Variations will become void from 18 February 2016 or from the date of issue of an EASA compliant FTL Approval (whichever is the earlier). Legacy text will not be permitted where it is less restrictive than the new Regulation. An official AltMoc may be considered. These are subject to scrutiny by the CAA and EASA, and may be rejected. Should an operator wish to continue to use self-drive positioning then they can continue to do so as the definition of positioning does not state the requirement for this to be as a passenger. However, the CAA will still expect that the operator follows the current variation requirements and has a visible procedure as part of their ORO.FTL.110 requirements.
In respect of ORO.FTL.205 (e) (iii) Maximum daily FDP with the use of extension due to in-flight rest will the CAA make use of the derogation provision in the EASA FTL regulation?	The CAA currently requires either Class 1 or Class 3 facilities in order to meet our requirements and therefore already meets the enhanced requirements of CS FTL 1 205 (c) . The derogation is therefore not applicable
Will EASA be developing FTL requirements for non CAT operations?	Yes. Timescales for these rulemaking tasks are being developed.
Where can I find more information about the Alternative Means of Compliance (AltMoc)?	An application to propose an Alternative Means of Compliance (AltMoc) should not be submitted until discussions have taken place with the CAA. The same process for application for an AltMoc to any other EASA OPS AMC would be followed.
Do other parts of the EASA Air Operations Regulation impact on FTL?	Yes, CAT.GEN.MPA.100 in respect of 'Crew Responsibilities'.

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Fatigue management

When does the training have to be completed by?	The Fatigue Management Training requirements under ORO.FTL.250 will need to be completed prior to the new approval being issued.
What format of fatigue management training is acceptable?	As a minimum fatigue risks and processes (such as fatigue reporting) will need to be provided through face to face training. The operator may then conduct the more generic fatigue awareness training though classroom or computer based training. Training may be given in modules where appropriate. The operator must be able to provide a training plan, the methods of training and how they meet the requirements.
Do operators have to comply with the requirements of ORO.FTL.120 'Fatigue Risk Management' (FRM)?	Generally no. However, there are some very specific requirements that would make FRM mandatory.
Will I be able to get an FRM approval with the initial issue of my EASA FTL scheme?	Unless an operator already has an approved FRM they will not be able to apply for an FRM with their initial issue of EASA FTL approval. FRM requires time to develop and establish. EASA's requirements for FRM are identical to those required by ICAO and detailed in the ICAO FRMS manual for operators/regulators. These manuals are free to download from the ICAO website at www.icao.int. The processes to develop an FRM to the point of approval are detailed in these manuals. We will be using these manuals as the basis to review FRM applications.

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