

## BL 5-18

# Regulations on flight and duty time limitations and rest periods for crew members in commercial air transport

Edition 2, 2 June 2008

In pursuance of § 148 of the Danish Air Navigation Act, cf. Consolidation Act No. 731 of 21 June 2007, the Civil Aviation Administration - Denmark hereby stipulates as follows on the authority of the Ministry of Transport, cf. Order no. 110 of 3 February 2009 on the Civil Aviation Administration - Denmark's tasks and authorities, on publication of the Regulations issued by the Administration and on the access to complain:

### 1. Reference document

Subpart Q in Regulation (EC) no. 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, as amended by Subpart Q in Regulation (EC) no. 1900/2006 of the European Parliament and of the Council of 20 December 2006 amending Council Regulation (EEC) no. 3922 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, hereinafter referred to as Subpart Q.

### 2. Definitions

*Call for active duty:*

The time when an operator contacts a crew member, calling them for duty.

*Emergency Medical Service Operations - EMS:*

In this BL emergency medical service operations shall mean operations with the purpose of carrying out transportation directly connected with

- a. seriously ill or injured persons and their next-of-kin as well as medical staff to a place with facilities that are vital for their treatment,
- b. medical staff necessary to perform vital tasks,
- c. vital medical supplies, such as equipment, blood, organs and medicine, and
- d. necessary operations in connection with collecting persons or medical supplies, cf. a., b. and c.

Further, reference is made to the definitions in Subpart Q, OPS 1.1095.

### 3. Scope

3.1 This BL stipulates regulations on flight and duty time limitations and rest periods for crew members employed with Danish operators performing commercial air transportation with aeroplanes.

3.2 The provisions in Subpart Q shall apply to operators domiciled in Greenland and the Faeroe Islands.

3.3 The BL contains regulations supplementing the provisions in Subpart Q.

## 4. Responsibilities

The operator shall be responsible for the regulations in this BL being observed.

*Note: Reference is further made to the responsibility provisions in Subpart Q, OPS 1.1090, paragraph 3 and 4.*

## 5. Supplementary provisions

5.1 *Airport standby, cf. Subpart Q, OPS 1.1125, paragraphs 1.3 and 1.4*

5.1.1 If airport standby is immediately followed by a flight duty period, hereinafter referred to as FDP, the standby period shall be taken into account with 100% for the calculation of the maximum daily FDP, cf. Subpart Q, OPS 1.1105.

5.1.2 If airport standby is not immediately followed by an FDP, a rest period shall be assigned, cf. Subpart Q, OPS 1.1110.

5.2 *Standby other than airport standby, cf. Subpart Q, OPS 1.1125, paragraph 2*

5.2.1 All standby, including start and end time of the standby, shall be planned and/or notified in advance.

5.2.2 The maximum length of the standby period must not exceed 14 hours.

5.2.3 During standby the crew member shall have access to rest in a rest area on the ground.

5.2.4 As stated below, standby shall be taken into account for the calculation of both the maximum daily FDP, cf. Subpart Q, OPS 1.1105, and the cumulative duty hours, cf. Subpart Q, OPS 1.1100, paragraph 1.1.

5.2.4.1 Standby shall be calculated with 50%, cf. however the paragraphs below.

5.2.4.2 If a crew member is assigned a rest period immediately prior to the standby period, the first 4 hours of the standby period shall be calculated with 0%, cf. however, paragraph 5.2.4.4.

5.2.4.3 If a crew member is not called for active duty within the period 2200 - 0600, the standby period shall be calculated with 0%.

5.2.4.4 If a crew member is called for active duty, the following period up to the start of the duty period shall be calculated with 50%, cf. however paragraph. 5.2.4.4.1.

5.2.4.4.1 If a crew member is called for active duty in the period 0600 - 2200 with sufficient notice that a period of at least 5 hours may be included between the call time and the start of the duty, the standby period shall be calculated with 0%.

5.3 *East/west long-distance flights, cf. Subpart Q, OPS 1.1110, paragraph 1.3*

5.3.1 The following provisions shall apply to a duty period finishing at a place with a time zone difference of at least 3 hours from the place at which the calculation of duty time was last based on local time.

5.3.1.1 If a rest period, at a place away from the home base, includes at least 3 local nights, the successive FDPs shall be calculated in accordance with Subpart Q, OPS 1.1105.

5.3.1.2 If the conditions in paragraph 5.3.1.1 are not met, the successive FDPs shall be limited to 11½ hours. For each sector calculated from the start of the second sector and on, these 11½ hours shall be reduced by 30 minutes per sector.

5.3.1.2.1 If the subsequent FDPs are planned to exceed 4½ hours, the rest periods shall be extended by the time zone difference from the preceding place of rest, up to a maximum of 15 hours.

5.3.1.3 On return to home base, the crew member shall be assigned a rest period of at least 4½ hours times the difference in time between the home base and the remotest resting place. The rest period shall be fol-

lowed by a weekly rest period in accordance with Subpart Q, OPS 1.1110, paragraph 2.1

#### *5.4 Operations based on extended FDP (split duty) including a break, cf. Subpart Q, OPS 1.1105, paragraph 6*

5.4.1 As stated below, a break shall be taken into account for the calculation of the maximum daily FDP, cf. Subpart Q, OPS 1.1105.

##### 5.4.2 Break on the ground

5.4.2.1 A break on the ground shall be calculated with 50%. If a break exceeds 4 hours and the duration has been given prior to the break commencing, it shall be calculated with 0%.

5.4.2.2 During a break the crew member shall have access to horizontal rest in a rest area on the ground.

##### 5.4.3 Break in the aeroplane during flight

5.4.3.1 For crew members in an augmented flight crew and cabin crew members in excess of the required minimum crew, that have access to rest for at least 1 hour, cf. paragraph 5.4.3.2, a break shall be calculated with 50%.

5.4.3.2 During a break the crew member shall have access to rest in a bunk, a comfortable horizontal seat arrangement or a seat which can lean back. The resting area shall be separated and screened from the cockpit and the passengers.

#### *5.5 Single pilot operations, cf. Subpart Q, OPS 1.1105, paragraph 1.1*

5.5.1 The maximum daily FDP shall be calculated in accordance with Subpart Q, OPS 1.1105, excluding, however, paragraph 1.1.

5.5.1.1 The maximum daily FDP shall be reduced by 3 hours.

5.5.1.2 During the course of an FDP, if a crew member changes from single pilot operation to multi-pilot operation the reduction

in paragraph 5.5.1.1 may be limited to 1 hour.

#### *5.6 Emergency medical service operations, cf. Subpart Q, OPS 1.1105, paragraph 1.1*

5.6.1 The maximum daily FDP, including other duty, standby and previous duty, shall be calculated in accordance with Subpart Q, OPS 1.1105, excluding, however paragraph 1.1.

5.6.1.1 During active emergency medical service operations the maximum daily FDP may be extended by two hours.

#### *5.7 Reduction of the maximum daily FDP*

The maximum daily FDP shall be reduced by 30 minutes for each landing calculated from and including the third landing.

#### *5.8 Positioning etc.*

5.8.1 If an operator offers a crew member transportation to home base in connection with duty, the time spent up to the start or end of the duty period at home base shall be counted as duty, cf. Subpart Q, OPS 1.1105, paragraph 5.

5.8.2 All forms of transport between home base and the place where flight duty starts shall be calculated in the daily FDP.

## **6. Exemption**

The Civil Aviation Administration - Denmark may in particularly exceptional cases grant exemption from the regulations in this BL when it is deemed compatible with the considerations on which the regulations in question are based.

## **7. Punishment**

7.1 Violation of the regulations in this BL will be punished with fine or imprison-

ment for up to 2 years in pursuance of §149 (8) of the Air Navigation Act.

7.2 Violation of the regulations in Subpart Q will be punished with fine or imprisonment for up to 4 years in pursuance of § 149 (11) of the Air Navigation Act.

7.3 Penalty will imposed on companies etc. (legal persons) violating this BL in accordance with the rules in Chapter 5 of the Criminal Code, cf. § 149 (14) of the Air Navigation Act.

## **8. Implementation**

8.1 This BL comes into force on 16 July 2008, cf. however paragraph 8.3.

8.2 At the same time BL 5-17, 2 edition of 1 June 1980, with later amendments are repealed, and BL 5-18, 1 edition of 11 March 2008 is annulled, cf. Act amending Act no. 305 of 19 April 2006 on publication of Gazettes (the Gazette in electronic form) and order no. 342 on 6 May 2008 on implementation of § 1, number 18, of Act amending the Air Navigation Act, cf. Act no. 242 of 21 March 2007.

8.3 Operators may, however, use the regulations in Subpart Q and this BL before 1 July 2008 if the regulations are part of the operator's approved operations manual.

Civil Aviation Administration - Denmark, 2 June 2008

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