

BL 5-12

Regulations on flight operations managers

Edition 3, 13 June 1997

In pursuance of § 82 of the Air Navigation Act, cf. Consolidation Act no. 162 of 7 March 1994, the Civil Aviation Administration - Denmark hereby stipulates as follows on the authority of the Ministry of Transport, cf. Order no. 138 of 17 February 1997 on delegation of authorities to the Civil Aviation Administration - Denmark and on publication of the regulations issued by the Administration:

1. Reference documents

1.1 The Ministry of Public Works' Order no. 264 of 27 June 1966 on operational regulations for scheduled and non-scheduled public air traffic as amended by Order no. 397 of 11 October 1967, hereinafter referred to as the operational regulations.

1.2 BL 5-4, Regulations on sightseeing flights, latest edition,

2. Applicability

This BL lays down regulations for flight operations managers with air operators holding Air Operators Certificate (AOC) to carry out commercial transportation of passengers, mail and/or cargo or holding a permission to carry out sightseeing flights, cf. BL 5-4.

3. General

3.1 It shall be the responsibility of the holder of an AOC to carry out commercial transportation of passengers, mail and/or cargo or a permission to carry out sightseeing

flights issued by the Civil Aviation Administration - Denmark to establish and maintain an operational organisation within the air operator to attend to the internal operational supervision.

3.2 As daily manager of the operational organisation the air operator shall employ a flight operations manager.

3.2.1 It shall be the responsibility of the flight operations manager

- a. to ensure that the flying activities of the air operator are carried out in accordance with the existing regulations, including the drawn up operations manual,
- b. to ensure that maintenance of the aircraft and training of personnel to the extent appearing from the operations manual are carried out in accordance with the existing regulations,
- c. to handle the contact to the Civil Aviation Administration - Denmark in matters concerning any operational circumstance,
- d. to ensure that the Civil Aviation Administration - Denmark's orders as regards operational regulations are observed, and
- e. to ensure that the Civil Aviation Administration - Denmark's employees have free access to the premises, materiel, manuals etc. of the air operator for inspection purposes.

3.3 The tasks and obligations of the flight operations manager may to a specified extent be delegated to others in pursuance of the organisation plan contained in the operations manual.

4. Flight operations manager

4.1 Approval

4.1.1 Approval as flight operations manager is granted by the Civil Aviation Administration - Denmark upon application when the applicant fulfils the conditions stated in this BL.

4.1.2 Application for approval of the flight operations manager shall be submitted by the air operator and shall be countersigned by the applicant.

4.1.3 The approval as flight operations manager is only valid for the air operator in question.

4.2 Qualifications

4.2.1 For air operators holding AOC to carry out commercial transport of passengers, mail and/or cargo with aircraft with 20 or more passenger seats, the applicant shall fulfil the following conditions:

- a. Be permanently employed by the air operator.
- b. At the time of approval within the last 5 years for at least 3 years with a Scandinavian air operator holding or having held AOC to carry out commercial air transportation of passengers, mail and/or cargo with aircraft with 20 or more passenger seats, either
 - i. have performed duty as pilot-in-command on aircraft certified to 20 or more passenger seats, or
 - ii. have been employed as flight operations manager.

c. Substantiate to the Civil Aviation Administration - Denmark to have the necessary knowledge of the operational documentation used by the air operator.

d. Be regarded by the Civil Aviation Administration - Denmark to be qualified for such a position.

4.2.2 For air operators holding AOC to carry out commercial air transportation of passengers, mail and/or cargo IFR with aircraft with less than 20 passenger seats, the applicant shall fulfil the following conditions:

- a. Be permanently employed by the air operator.
- b. At the time of approval within the last 4 years for at least 2 years with a Scandinavian air operator holding or having held AOC to carry out commercial air transportation of passengers, mail and/or cargo IFR either
 - i. have performed duty as pilot-in-command, or
 - ii. have been employed as flight operations manager.
- c. Have obtained a total IFR flight time of at least 500 hours during commercial transportation of passengers, mail and/or cargo, including at least 350 hours as pilot-in-command.
- d. Substantiate to the Civil Aviation Administration - Denmark to have the necessary knowledge of the operational documentation used by the air operator.
- e. Be regarded by the Civil Aviation Administration - Denmark to be qualified for such a position.

4.2.3 For air operators holding AOC to carry out commercial air transportation of passengers, mail and/or cargo VFR with aircraft with less than 20 passenger seats, the applicant shall fulfil the following conditions:

- a. Be permanently employed by the air operator.
- b. At the time of approval within the last 3 years for at least 1 years with a Scandinavian air operator holding or having held AOC to carry out commercial air transportation of passengers, mail and/or cargo either
 - i. have performed duty as pilot-in-command, or
 - ii. have been employed as flight operations manager.
- c. Have obtained a total flight time of at least 500 hours as pilot-in-command or hold an instrument rating.
- d. Have obtained a flight time of at least 150 hours as pilot-in-command or co-pilot during commercial transportation of passengers, mail and/or cargo.
- e. Substantiate to the Civil Aviation Administration - Denmark to have the necessary knowledge of the operational documentation used by the air operator.
- r. Be regarded by the Civil Aviation Administration - Denmark to be qualified for such a position.

4.2.4 For air operators holding a permission to carry out sightseeing flights, the applicant shall fulfil the following conditions:

- a. Be permanently employed by the air operator.
- b. At the time of approval hold a B-licence and either
 - i. hold an instructor rating, or
 - ii. hold an instrument rating, or
 - iii. have obtained a flight time of at least 150 hours as pilot-in-command. Co-pilot time may be included the ratio 2:1.

- c. Substantiate to the Civil Aviation Administration - Denmark to have the necessary knowledge of the operational documentation used by the air operator.
- d. Be regarded by the Civil Aviation Administration - Denmark to be qualified for such a position.

4.3 Termination

4.3.1 The permission shall be withdrawn

- a. when the air operator or the flight operations manager so requests,
- b. when the flight operations manager no longer fulfils the requirements mentioned in paragraphs 4.2.1, 4.2.2, 4.2.3 or 4.2.4, respectively,
- c. if the flight operations manager grossly or repeatedly disregards his duties under this BL, or
- d. if the flight operations manager's right to perform his activities as such are suspended under § 79 of the Criminal Code.

4.3.2 The approval shall be repealed if the Civil Aviation Administration - Denmark withdraws the air operator's AOC.

5. Exemption

Exemption

The Civil Aviation Administration - Denmark may in quite exceptional cases grant exemption from the regulations in this BL if it is deemed compatible with the considerations on which the regulations in question are based. In case of exemption from the qualification requirements in paragraph 4.2, exemption can only be granted if the applicant's training and experience, or of the nature of the operational organisation in which the applicant shall work, makes an exemption unobjectionable.

6. Complaints

Complaints of the decisions taken by the Civil Aviation Administration - Denmark in pursuance of the regulations in this BL may be presented to the Ministry of Transport.

7. Punishment

7.1 An AOC holder violating the regulations in paragraphs 3.1 and 3.2 will be punished under subsection 8 of § 149 of the Air Navigation Act with fine, simple detention or imprisonment for up to 2 years.

7.2 A flight operations manager violating the regulations in paragraph 3.2.1 will be punished under subsection 8 of § 149 of the Air

Navigation Act with fine, simple detention or imprisonment for up to 2 years.

7.3 Criminal liability may be imposed on companies etc. (legal persons) under the rules of Chapter 5 of the Danish Criminal Code, cf. subsection 14 of § 149 of the Air Navigation Act.

8. Implementation

8.1 This BL comes into force on 1 August 1997.

8.2 At the same time BL 5-12, 2 edition of 15 April 1993 is repealed.

Civil Aviation Administration - Denmark, 13 June 1997

Ole Asmussen

/M. Dambæk