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**NOTICE TO AIRCRAFT OPERATORS**

Subject: <b>Avoidance of Crew Fatigue</b>	Number: <b>04/2010</b>
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**Background:**

The Civil Aviation Regulations require public transport aircraft operators to establish a scheme for the control of flight time and flight duty periods and to take steps to ensure that the provisions of such a scheme are complied with. The Air Operators Certification Requirements stipulate that such a scheme must be based on the provisions of UK CAA CAP 371 ‘*The avoidance of fatigue in aircrews, guide to requirements*’. CAP 371 has been based on many years of experience and research and presents a consensus of broad opinion and defines a basic framework for the duty hours of flight crew and cabin crew.

The DCA will only approve schemes that fall within the provisions of CAP371. The purpose of this notice is to provide additional guidance on matters relating to the control of flight time and flight duty periods.

**Applicability:**

All Mauritian public transport operators.

**Content:**

*Interpretation of an approved scheme*

The objective of a scheme for the control of flight time and duty periods is to ensure that crewmembers are adequately rested at the beginning of each duty period. The scheme should set work patterns that prevent the onset of fatigue and yet allow an operator to pursue legitimate business interests.

Operators and crewmembers should always try to consider the intention of the scheme, rather than reading it as a contractual document. If any doubt arises about the interpretation of the operator’s

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scheme, then the operational management should determine their relevant policy and intentions, and draft any required amendment to the scheme to clarify these. The amended Scheme should then be submitted to the DCA for approval.

### *Crewmembers Responsibilities*

The Civil Aviation Regulations require that aircraft flight crew (i.e. pilots) must not operate if they know or suspect that they are suffering from, or likely to suffer from, such fatigue as may endanger the safety of the aircraft or its occupants. Flight crew are also prohibited by regulation from exceeding the 28-day and 12-month cumulative flight-time totals.

Operator's schemes place additional responsibilities on individual crewmembers. They are required to make optimum use of rest periods. As long as the aircraft operator complies with the scheme there will be a reasonable expectation that crewmembers will present themselves for duty suitably rested. Crewmembers must not operate if they are physically or mentally unfit to do so. Crewmembers must not operate if they know that they are, or are likely to be in breach of the scheme.

### *Facilities for in-flight rest.*

When in-flight rest is used to extend a flying duty period (FDP) the resting crew member must be provided with a comfortable reclining seat or bunk which must be separated and screened from the flight deck and passengers, and free from disturbance. The minimum specifications for a seat to meet this requirement are that it reclines to at least 40 degrees, has leg and foot support and is screened by the use of a thick curtain. The operator must ensure that levels of light and noise affecting the seat location will permit adequate rest to be achieved.

In circumstances where it is not possible for an operator to comply with all these requirements it will be acceptable, for cabin crew only, for rest to be taken in passenger seats subject to the following:

- The seats used must be separated from the rest of the cabin (for example by the use of a curtain).
- Passenger seats may only be used for rest when no passenger service is taking place and with the cabin lights dimmed.
- In order to reduce the likelihood of passenger noise the use of passenger seats for in-flight rest should only be planned for times between midnight and 06.00 hours local time at the point of departure.
- Resting crewmembers should not be seated next to an occupied seat.
- If the seats used for in-flight rest do not recline to at least 40 degrees and provide leg and foot support then the FDP extension should be limited to a maximum of 90 minutes.

### *Use of Commander's Discretion*

Commanders are permitted to extend duty periods or to reduce rest periods as a consequence of unforeseen events during the execution of a schedule or roster. Rosters should never be planned in such a way that minor unforeseen events will automatically require the use of discretion. The use of discretion should be monitored closely, guidance on the use of discretion is provided within individual operators FTL schemes.

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Operators are reminded that the authority to exercise discretion rests solely with the aircraft commander, and not with management or individual crewmembers. Commanders must take into account of the ability of all the crewmembers to continue to operate safely. Operators should maintain a trend analysis relating to the use of discretion in order to manage the process.

Operators and aircraft commanders are reminded that there is no provision for the use of discretion to extend an FDP by more than three hours except in the case of an emergency. Commanders must be prepared to delay, cancel or divert a flight to avoid a breach of the approved scheme.

### *Recording of Flight Time*

The Civil Aviation Regulations stipulate that no person shall act as the member of the flight crew of an aircraft if the aggregate of his flight times exceed specified limits. Flight time, in this context, is the time spent as the member of an aircraft crew from the first time the aircraft moves for the purpose of taking off until it finally comes to rest at the end of the flight.

Where a crewmember takes rest in flight in order to allow an extension of the FDP then the time spent on such rest falls within the above definition and thus accrues to the crewmember's aggregate flight time. Where an extra crewmember who is carried to provide in-flight relief goes 'off-duty' before the end of a flight then only the time on duty would accrue to the aggregate flight time.

### **Authority:**

Issued by the Director of Civil Aviation.



Captain Andrew McKechnie.

**for Director of Civil Aviation**