

FLIGHT AND DUTY TIME LIMITATIONS FOR FLIGHT CREW – OPERATIONS OTHER THAN COMMERCIAL AIR TRANSPORTATION BY AEROPLANES

This aviation regulation has been issued by virtue of the Finnish Aviation Act (1242/2005), section 60, and taking into account Council Directive 2000/79/EC concerning the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA).

1 SCOPE OF APPLICATION

1.1 This aviation regulation shall be applicable to commercial air transport operations conducted under a Finnish air operator certificate on aircraft other than aeroplanes.

Note: The requirements applicable to commercial air transport operations by aeroplanes are laid down in Community legislation and in national complementary regulations (see Aviation Regulation OPS M3-15).

1.2 This aviation regulation shall also be applied when conducting aerial work operations under a Finnish aerial work certificate, and to flight training subject to an approval with the exception of club-type sport aviation activities.

Note: This aviation regulation determines those flight time, duty time and rest requirements which are considered necessary with regard to flight safety. This regulation will not replace the general legislation on working hours, but only complements it.

2 DEFINITIONS

Flight time. In this regulation, the flight time of an aeroplane means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight (block time). The flight time of a helicopter means the total time from the moment a helicopter's rotor blades start turning (when started for the purpose of flying) until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped.

Duty time. In this regulation, duty time means the time in service of air operators. Duty time is counted as starting from the moment when the crew member starts preparations for the flight, in any case no less than one hour before the planned take-off time. The duty time is counted as ending when the crew member is free from duties after the flight, in any case no less than 30 minutes after the flight has ended. Any work performed in the service of an air operator, even if not directly related to flying duties, such as office work, aircraft inspections, loading, servicing, training organised by the air operator and training duties, is also counted as duty time. However, travelling time to and from the duty station is not counted as duty time. Time between flights is counted as duty time, unless the crew member

has, regardless of the time of day/night, an opportunity to rest for at least three hours (time between flights at least 4.5 hours) in a place with facilities for washing and sleeping, such as a resting room or hotel room. For counting duty time on standby (see definition below) in certain helicopter operations, separate provisions are given in section 7 below.

Break. Time counted as duty time, during which the flight crew member is free from all duties.

Rest time. In this regulation, rest time means the time between two duty periods, not including travelling time to and from the duty station (aerodrome).

Weekly rest period. In this regulation, weekly rest period means a consecutive rest time of at least 36 hours between two duty periods.

Standby. In this regulation, standby means the flight crew members' continuous immediate preparedness to start performing duties.

Flight assistant. A person assisting the pilot as a flight crew member in HEMS operations, who meets the requirements specified by the Finnish Civil Aviation Authority.

3 GENERAL REQUIREMENTS

3.1 The operator shall be responsible for organising the flight, duty and rest times so that the limitations specified in this regulation are complied with. The head of flight operations shall monitor compliance with flight and duty time restrictions and keep a record of pilots' flight, duty and rest times. The records shall be stored for a minimum period of 12 months.

3.2 Every flight crew member is also personally responsible for complying with flight and duty time restrictions. When working for more than one air operator, the flight crew member shall provide each operator with information on his/her flight, duty and rest times as necessary for monitoring in accordance with this regulation.

3.3 All times in this regulation mean the local time.

3.4 Sections 4–6 of this regulation shall not apply to the standby helicopter operations referred to in section 7 below.

3.5 A student pilot is not regarded as a flight crew member in accordance with this regulation.

Note 1. Restrictions concerning student pilots are provided for in TRG regulations.

Note 2. In addition to the flight and duty time limitations and rest requirements laid down in this regulation, the flight crew member has, based on section 167 of the Aviation Act, the right and obligation to refuse performing flight duties when he/she is not able to perform these duties without compromising flight safety because of illness, fatigue or other similar reason.

4 FLIGHT AND DUTY TIME LIMITATIONS

4.1 General limitations

All flights shall be planned and performed so that the following limitations are not exceeded:

- flight time during any consecutive 12 months shall not be more than 900 hours
- flight time during any 30-day period shall not be more than 100 hours
- annual duty time shall not be more than 2000 hours
- the maximum annual duty time shall be distributed as evenly as possible during the year
- duty time during any consecutive 14 days shall not be more than 100 hours
- duty time during any consecutive 7 days shall not be more than 60 hours.

4.2 Flight time limitations

Flight time limitations for a crew of one or two pilots during any consecutive 24 and 48 hours are as follows:

Flight crew	Maximum allowed flight time in 24 hours	Maximum allowed flight time in 48 hours
1 pilot	8 hours	14 hours
2 pilots	12 hours	16 hours

4.3 Duty time limitations

Duty time limitations for a crew of one or two pilots during any consecutive 24 and 48 hours are as follows:

Flight crew	Maximum allowed flight time in 24 hours	Maximum allowed flight time in 48 hours
1 pilot	10 hours	20 hours
2 pilots	16 hours	24 hours

4.4 Required breaks

4.4.1 Flight crew members shall be given an opportunity for breaks and meals.

4.4.2 After each duty time period of 5 hours and 30 minutes at maximum, the flight crew member shall take a break of at least 30 minutes.

4.4.3 The requirements for organising and taking breaks shall not, nevertheless, be applicable in commercial air transport operations when no more than 2 landings are made on the route so that the flight crew member is on duty in the cockpit, or when the life or health of people could be compromised due to a delay caused by a break.

5 REST TIME

5.1 Rest periods

5.1.1 Flight crew rest time should primarily be organised as night-time rest between 22:00 and 08:00. If the rest time is, wholly or in part, organised between 08:00 and 22:00 as day-time rest, the rest time shall be extended by 30 minutes for every beginning hour of rest time which remains to be taken during that time.

5.1.2 Minimum rest times between 22:00 and 08:00 are as follows:

Previous duty time period	Minimum rest time
12 hours or less	8 hours
more than 12, but no more than 16 hours	10 hours

5.1.3 Where flights over several time zones are conducted, so that the time difference between the departure and destination aerodromes is 4 hours or more, the operator shall take the time zone differences into account by specifying an extended rest time.

5.1 Weekly rest period

5.2.1 Each crew member shall be given at least one weekly rest period during any consecutive 7 days.

5.2.2 Where 3 hours or more of duty time has been spent in flight operations between 22:00 and 06:00 during each of 3 consecutive nights, the crew member shall be given a weekly rest

period before the next duty time period begins.

6 COMPLIANCE WITH FLIGHT AND DUTY TIME LIMITATIONS IN EXCEPTIONAL CIRCUMSTANCES

6.1 If it becomes apparent after the flight's departure or after the planned time of departure that the maximum allowed flight or duty time would be exceeded due to unforeseen circumstances, the pilot-in-command may decide on whether the flight will be performed or continued after having agreed on the issue with other crew members. The maximum time shall not, however, be exceeded by more than one hour.

6.2 The head of flight operations may, when absolutely necessary, grant exemptions from flight and duty time limitations for ambulance flights and flights ordered by authorities. Such exceedances of limitations and reasons for them shall be entered in the flight and duty time records.

6.3 Whenever the flight and duty time limitations have been exceeded, the shortest rest time after the flight has ended shall be 1.5 times as long as the shortest rest time calculated without any exceedance of limitations.

7 FLIGHT AND DUTY TIME LIMITATIONS FOR STANDBY IN CERTAIN HELICOPTER OPERATIONS

7.1 General limitations

7.1.1 The flight and duty time limitations given below shall apply to helicopter flight crew members in standby-type search and rescue (SAR) operations and helicopter emergency medical service (HEMS) operations as defined by the Finnish Civil Aviation Authority, when the flight crew is on standby for such duties without having any other duties at the same time, and the flight operations in question have been organised in accordance with an agreement concluded with the authority, association or other organisation engaged in those operations.

7.1.2 All time on standby must be calculated as duty time. The duty time on standby is considered to begin when the crew member commences the standby period, and finish when he/she stops being on standby or hands the standby duties over to another person.

The duty time of a flight crew member shall be no more than 192 hours during any 30-day period, and no more than four successive continuous 24-hour periods. The maximum duty time allowed within a 30-day period may, however, be exceeded by no more than 24 hours. The exceedance shall be taken into account by counting it as an increase to the duty time accumulated during the next 30-day period. If the maximum duty time is not reached in full, the duty time for the next period can be extended by the time remaining after subtraction of the actual duty time during the previous duty period from the normal maximum duty time allowed. This extension may not, however, exceed 24 hours. Such an extension need not be taken into account as an increase in the duty time accumulated during the next 30-day period. The annual duty time must not be more than 2000 hours, and it shall be distributed as evenly as possible during the whole year.

Flight time shall be no more than 900 hours during any consecutive 12 months, and no more than 100 hours during any 30-day period.

7.1.3 When any other flight operations falling within the scope of this regulation (see section 1) are carried out besides the standby duties referred to in this paragraph (7.1), the provisions in sections 4–6 above shall be complied with. However, the duty time used for standby and other flight operations shall not be more than 192 hours in total during any 30-day period. Any flights ordered by an authority on a case-by-case basis and flown during the standby period are not regarded as other flight operations in the sense of this paragraph.

Example: If the crew member is on standby for five 24-hour periods (120 hours) during a 30-day period, the longest allowed other flight time that remains is reduced to 72 hours (192 h – 120 h = 72 h).

7.2 Flight and duty time limitations

7.2.1 Flight and duty time limitations for a single-pilot crew are as follows:

Number of standby periods during consecutive 24 hours	Maximum allowed flight time during each standby period	Required standby time without duties during each standby period
1 period	11 hours	9 hours
2 periods	10 hours	10 hours
3 periods	9 hours	11 hours
4 periods	9 hours	12 hours

Example: Three consecutive 24-hour standby periods: maximum allowed flight time during each standby period is 9 hours and required standby time without duties during each standby period is at least 11 hours.

7.2.2 The required standby time without duties as referred to above may not include even such work performed for the air operator which is not directly related to flying duties, such as office work, aircraft inspections, loading, servicing, training organised by the air operator, or training duties.

7.2.3 Flight and duty time limitations for a two-pilot crew are as follows:

Number of standby periods during consecutive 24 hours	Maximum allowed flight time during each standby period	Required standby time without duties during each standby period
1 period	13 hours	7 hours
2 periods	12 hours	8 hours
3 periods	11 hours	9 hours
4 periods	10 hours	10 hours

7.2.4 In standby operations, the duty is counted as starting when an alarm is received and ending 30 minutes after the flight has ended, or when all duties related to the flight have been carried out, whichever occurs later. The required standby time without duties must be spent in a place with facilities for washing and sleeping, such as a resting room or hotel room.

7.2.5 If the time between two duties is less than 1 hour, this time may not be counted as standby time without duties.

7.3 Rest time

7.3.1 The minimum rest times are as follows:

Standby period no more than	Minimum rest time after standby period
24 hours	24 hours
48 hours	48 hours
72 hours	72 hours
96 hours	96 hours

7.3.2 When any other flight operations falling within the scope of this regulation are carried out besides the standby duties, the crew member shall, in addition to the requirements in the table above, be given at least one weekly rest period within 7 consecutive days.

7.4 Exceeding flight and duty time limitations

Despite the requirements above, any duty received in HEMS, air ambulance, SAR or forest fire-fighting operations or assigned by authorities during standby may be completed. In such cases, the exceedance of limitations shall be minimised and the crew changed where possible. Any exceedances of limitations and reasons for them shall be entered in the operator's flight and duty time records and taken into account so that they are calculated in the duty time accumulated during a 30-day period.

8 EXEMPTIONS

The Finnish Civil Aviation Authority may, on application and for specific reasons, grant individual exemptions from this regulation provided that flight safety is not compromised. In this case, the provisions of Regulation (EC) No 1899/2006 of the European Parliament and of the Council amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, shall be taken into account.

9 ENTRY INTO FORCE AND TRANSITIONAL PROVISIONS

This aviation regulation enters into force on 16 July 2008 and repeals aviation regulation OPS M3-2 of 8 December 2003.

As regards the replacement of calendar months used earlier as the basis for calculation with the 30-day period as referred to in this regulation, operators shall amend their Operations Manuals and instructions accordingly by 31 December 2008, as far as the documents require an approval from the Finnish Civil Aviation Authority.

**NB: Unofficial translation,
legally binding only in Finnish and Swedish**
Finnish Transport Safety Agency

