STATUTORY INSTRUMENTS
SUPPLEMENT No. 34 **12th August, 2022**

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 50, Volume CXV, dated 12th June, 2022

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2022 No. 82.

THE CIVIL AVIATION (FATIGUE MANAGEMENT) REGULATIONS, 2022

ARRANGEMENT OF REGULATIONS

Regulation

Regulation

Regulation

SCHEDULES

S T A T U T O R Y I N S T R U M E N T S

2022 No. 82.

The Civil Aviation (Fatigue Management) Regulations, 2022

(Under section 61 of the Civil Aviation Authority Act, Cap 354)

IN EXERCISE of the powers conferred upon the Minister by section 61 of the Civil Aviation Authority Act, and on the recommendation of the Uganda Civil Aviation Authority, these Regulations are made this 21st day of June, 2022.

Part I—Preliminary

1. Title

These Regulations may be cited as the Civil Aviation (Fatigue Management) Regulations, 2022.

2. Application

These Regulations apply to air traffic controllers, aircraft maintenance personnel, Air Navigation Services Providers, flight operations officers, flight and cabin crew in general aviation for large and turbojet aircraft and for aircraft used for commercial air transport.

3. Interpretation

In these Regulations, unless the context otherwise requires—

"acclimatisation" means a state in which the circadian biological clock of a crew member is synchronised to the time zone where the crew member is and a crew member is considered to be acclimatised to a 2-hour wide time zone surrounding the local time at the point of departure and when the local time at the place where a duty commences differs by more than 2 hours from the local time at the place where the next duty starts, the crew member, for the calculation of the maximum daily flight duty period, is considered to be acclimatised in accordance with the values in the following Table 1—

Table 1

X	Time difference (h) between reference time and local time where the crew member starts the next duty				
Y	Time elapsed since reporting at reference time				
X	**Y**				
	<48	48–71:59	72–95:59	96–119:59	≥ 120
<4	B	D	D	D	D
≤ 6	B	X	D	D	D
≤ 9	B	X	X	D	D
≤ 12	B	X	X	X	D

Where:
"B" means acclimatised to the local time of the departure time zone, "D" means acclimatised to the local time where the crew member starts his/her next duty and "X" means that a crew member is in an unknown state of acclimatisation;

"accommodation" means, for the purpose of standby and split duty, a quiet and comfortable place not open to the public with the ability to control light and temperature, equipped with adequate furniture that provides a crew member with the possibility to sleep, with enough capacity to accommodate all crew members present at the same time and with access to food and drink;

"Air Navigation Services Provider" means the directorate in the authority designated for the purposes of operating and managing air navigation services;

"air traffic controller schedule" means a plan for allocating air traffic controller duty period and non-duty periods over a period of time;

"Air Traffic Service Provider" means a person certificated, authorised or otherwise designated by the authority for the purpose of operating and managing air traffic services;

"augmented flight crew" means a flight crew that comprises more than the minimum number required to operate an aeroplane in which each flight crew member may leave his or her assigned post and be replaced by another appropriately qualified flight crew member for the purpose of in-flight rest;

"bio-mathematical model" means a computer program designed to predict aspects of a schedule that might generate an increased fatigue risk for the average person, based on scientific understanding or the factor contributing to fatigue and is an optional tool (not a requirement) for predictive fatigue hazard identification within an Fatigue Risk Management System (FRMS) with limitation that needs to be understood for their appropriate use;

"break" means a period of time within a flight duty period, shorter than a rest period, counting as duty and during which a crew member is free of all tasks;

"cabin crew member" means a crew member who performs, in the interest of the safety of passengers, duties assigned by the operator or the pilot-in command of the aircraft, but who shall not act as a flight crew member;

"circadian body clock" means a neural pace marker in the brain that monitors the day and night cycle (via a special light input pathway from the eyes) and which determines a person's preference for sleeping at night;

"commercial air transport" means an aircraft operation involving the transport of passengers, cargo, or mail, for remuneration or hire;

"consecutive" means a continuous, unbroken period of time for the duration of the hours or days mentioned;

"counter measures" means personal mitigation strategies that a person may use to reduce his or her fatigue risk such as good sleep habits, napping before night duty and operational counter measures, such as controlled napping and strategic use of caffeine;

"crew member" means a person assigned by an operator to duty on an aircraft during a flight duty period;

"cumulative fatigue" means fatigue that occurs after incomplete recovery from transient fatigue over a period of time;

"cumulative sleep debt" means a sleep loss accumulated when sleep is insufficient for multiple nights or 24-hour days in a row and which as it builds up, impairs performance and which when it increases, progressively makes a person less reliable at assessing his or her level of impairment;

"cycle" means a duty or a series of duties, including at least one flight duty, and rest periods out of home base, starting at the home base and ending when returning to the home base for a rest period where the operator is no longer responsible for the accommodation of the crew member;

"deviation" means a mechanism to vary from prescriptive regulations under flexibility provisions;

"fatigue" means a physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase or workload, including a mental or physical activity that may impair a person's alertness and ability to perform safety-related operational duties;

"fatigue risk management (FRM)" means a data driven means of continuously monitoring and managing fatigue- related safety risks based upon scientific principles, knowledge

and operational experience that are aimed to ensure relevant personnel are performing at adequate levels of alertness;

"flight crew member" means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

"flight duty period" means a period which commences when a crew member is required to report for duty that includes a flight or a series of flights and which finishes when the aeroplane finally comes to rest at the end of the last flight on which he or she is a crew member;

"flight time" means—

(a) for an aeroplane and a glider, the total time from the moment an aeroplane or a glider moves for the purpose of taking off until the moment the aeroplane or glider finally comes to rest at the end of the flight and it is synonymous with the term "block to block" or "chock to chock" time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight;

(b) for a helicopter, the total time from the moment a helicopter rotor blades start turning until the moment a helicopter comes to rest at the end of the flight and the rotor blades are stopped; and

(c) for an airship or a free balloon, the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

"home base" means the location nominated by the operator to the crew member, from where the crew member normally

starts and ends a duty period or a series of duty period;

"local day" means a period of 24 hours starting at 00:00;

"local night" means an 8-hour period falling between 22:00 and 08:00;

"night" means the hours between the end of evening civil twilight and the beginning of morning civil twilight or the time between 15 minutes after sunset and 15 minutes before sunrise, sunrise and sunset being determined at surface level, and includes anytime between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot be clearly seen at a distance of 4,572 metres;

"operations manual" means a manual containing procedures, instructions and guidance for use by an operational personnel in the execution of his or her duties;

"operator" means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

"positioning" means the transferring of a non-operating crew member from place to place as a passenger at the behest of the operator;

"reference time" means the local time at the reporting point situated in a 2 hour wide time zone band around the local time where the crew member is acclimatised;

"reporting time" means the time at which flight and cabin crew members are required by an operator to report for duty;

"reserve" means a period of time during which a crew member is required by the operator to be available to receive an assignment from flight duty period, positioning or other duty notified at least 3 hours in advance;

"rest facility" means a bunk or seat with leg and foot support suitable for crew members sleeping on board an aircraft;

"rest period" means a continuous and defined period of time, subsequent to or prior to duty, during which flight crew members, cabin crew members, aircraft maintenance engineers and air traffic controllers are free of all duties;

"roster" means a list provided by an operator of the times when a crew member , aircraft maintenance engineers and air traffic controllers is required to undertake duties;

"sector of a flight" means the part of an flight duty period between an aircraft first moving for the purpose of taking off until it comes to rest after landing and parks;

"standby" means a defined period of time during which a flight or cabin crew member is required by the operator to be available to receive an assignment for a specific duty without an intervening rest period;

"suitable accommodation" means a furnished bedroom which provides for the opportunity of adequate rest;

"transient fatigue" means fatigue that is dispelled by a single sufficient period of rest or sleep;

"unforeseen operational circumstance" means an unplanned event, such as un forecast weather, equipment malfunction, or air traffic delay that is beyond the control of the operator;

"window of circadian low (WOCL)" means the period between 02:00 and 05:59 where the crew member is acclimatised.

4. Compliance with laws, regulations and procedures

The operator or the pilot-in-command of an aircraft registered in Uganda shall—

(a) comply with the laws, regulations and procedures of any other state in which operations are conducted;

(b) be familiar with the laws, regulations and procedures, pertinent to the performance of his or her duties, prescribed for the areas to be traversed, the aerodromes to be used and the air navigation facilities; and

(c) ensure that the members of the flight crew are familiar with the laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aircraft.

5. Knowledge or suspicion of crew fatigue

(1) A person shall not act as a crew member of an aircraft in commercial air transport if he or she knows or suspects that he or she is suffering from such fatigue as may endanger the safety of the flight.

(2) A person shall not cause or permit a crew member of an aircraft to fly in commercial air transport if that person knows or suspects that the crew member is suffering from such fatigue as may endanger the safety of the flight.

6. Fitness for duty

(1) Each crew member shall report for flight duty period when rested and prepared to perform his or her assigned duties.

(2) An operator shall not assign flight duty to a crew member who has reported with fatigue, which is likely to impair the safe performance of his or her assigned duties.

(3) A crew member shall not accept flight duty if the crew member has reported with fatigue which is likely to impair the safe performance of his or her assigned duties.

(4) An operator shall not permit a crew member to continue a flight duty if the crew member has reported himself or herself fatigued.

(5) Each flight crew member shall affirmatively state that he or she is fit for duty prior to commencing flight.

7. Prescriptive fatigue management approach

(1) An operator and an Air Navigation Service Provider shall adopt the prescriptive fatigue management approach prescribed under these Regulations.

(2) Subject to subregulation (1), the implementation of prescriptive fatigue management system does not relieve the operator of the responsibility to manage fatigue related risks under the safety management system.

(3) The authority may, in exceptional circumstances, approve variations to the requirements in these Regulations on the basis of a risk assessment provided by the operator or Air Navigation Service Provider, as may be applicable.

(4) The authority shall grant the approval referred to in subregulation (3), where the proposed variations provide a level of safety equivalent to or better than that achieved through the prescriptive fatigue management approach.

8. Fatigue management programme

(1) The operator shall establish a prescriptive fatigue management programme which shall ensure that all the personnel of the operator involved in the operation, Air Navigation Services Provider and the maintenance of aircraft do not carry out their duties when fatigued.

(2) The prescriptive fatigue management programme shall be approved by the authority.

(3) The prescriptive fatigue management programme shall address flight and duty times and be included in the operations manual or fatigue management manual.

9. Mirroring of flight and cabin crew schedules

An operator may elect to apply similar flight duty and rest requirements to the flight crew members and the cabin crew members and in this case, the operator shall not seek two separate approvals from the Authority.

10. Record keeping

(1) The operator shall maintain the records for tracking flight times, duty times and rest periods.

(2) The records maintained under subregulation (1) shall be kept up to date and made available before a person begins his or her duty or first flight of the day.

(3) The operator, Air Navigation Service Provider and Approved Maintenance Organisation shall maintain the records for tracking flight times, duty times and rest periods for at least twenty four months unless a longer period has been prescribed for the purpose of investigation.

(4) All the relevant information shall be readily available before a person begins their duty or their first flight of the day to ensure their compliance with these Regulations.

(5) The records shall be maintained within the provisions for these Regulations and the Civil Aviation (Safety Management) Regulations, 2022.

11. Maximum number of flight time hours and duty aloft

(1) An operator shall not schedule any flight crew member for flight time in commercial air transport, where the total flight time of that flight crew member for any consecutive twenty four hour period shall exceed—

(a) ten hours where the operation is conducted with a 2-pilot flight crew;

(b) thirteen hours where the operation is conducted with a 3-pilot flight crew; or

(c) seventeen hours where the operation is conducted with a 4-pilot flight crew.

(2) An operator shall not schedule any flight crew member for an assignment in commercial air transport as a required crew member for more than—

(a) ten flights during a duty period of ten consecutive hours; or

(b) 7 flights during a duty period of eighteen consecutive hours.

(3) An operator shall not schedule any flight crew member for flight time where the total flight time of the crew member shall exceed—

(a) thirty four hours in any period of 7 consecutive days;

(b) one hundred and ten hours in any period of twenty eight consecutive days; or

(c) one thousand hours in any period of twelve consecutive calendar months.

(4) An operator shall not schedule any flight crew member for a flight in commercial air transport, where the total flight time of that flight crew member or where the total flights or duty aloft of that flight crew member, in commercial flying, shall exceed the limitations prescribed by the authority.

(5) For the avoidance of doubt, a flight crew member shall not accept any assignment that is scheduled contrary to the requirements of subregulation (1), (2), (3) or (4).

(6) Duty aloft shall be considered as all time spent on an aircraft by an assigned flight crew member or relief flight crew member, whether resting or performing task.

(7) A flight crew member shall be considered to be on continuous duty aloft unless the flight crew member receives a rest period of 8 consecutive hours on the ground.

(8) An operator shall provide adequate sleeping quarters, including a berth on the aircraft whenever a flight crew member is scheduled to be aloft for more than twelve hours during any period of twenty four consecutive hours.

12. Exceeding flight time in unforeseen circumstances

(1) Where, after takeoff, unforeseen operational circumstances arise that are beyond the control of the operator, a flight crew member may exceed the maximum and cumulative flight time specified in regulation 11(2) and (3) to the extent necessary to safely land the aircraft at the next destination airport or alternate airport.

(2) An operator shall report to the authority within ten days, any flight time that exceeded the maximum flight time limits prescribed under regulation 11 and Table 1 of Schedule 1 to these Regulations.

(3) The report referred to in subregulation (2) shall contain a description of the extended flight time limitation and the circumstances that caused the need for the extension.

13. General responsibilities

(1) An operator, Air Navigation Services Provider and an Approved Maintenance Organisation shall—

(a) publish, in advance, duty rosters that sufficiently provide the crew members opportunity to plan for adequate rest;

(b) ensure that duty periods are planned in a way that enables crew members to remain sufficiently free from fatigue so that they can operate to a satisfactory level of safety under all circumstances;

(c) specify reporting times that allow sufficient time for ground duties;

(d) take into account the relationship between the frequency and pattern of duty periods and rest periods and give consideration to the cumulative effects of undertaking long duty hours combined with minimum rest periods;

(e) allocate duty patterns which avoid practices that cause a serious disruption of an established sleep or work pattern, such as alternating day and night duties;

(f) provide rest periods of sufficient time to enable crew members to overcome the effects of the previous duties and to be rested by the start of the following duty period;

(g) plan recurrent extended recovery rest periods and notify crew members, sufficiently, in advance; and

(h) plan duties in a manner that the duties may be completed within the allowable duty period, taking into account the time necessary for pre-flight duties, the sector of a flight and turnaround time.

(2) An operator, Air Navigation Services Provider and an Approved Maintenance Organisation shall ensure that the crew members make optimum use of the opportunities and facilities provided for rest and that the crew members plan and use their rest periods properly.

(3) For the purposes of this regulation, "crew member" means flight crew, cabin crew, maintenance personnel and air traffic controllers.

14. Flight scheduling

(1) An operator shall consider the following during scheduling of a flight—

(a) that the flight has to be completed within the maximum permitted flight duty period;

(b) the time needed for pre-flight duties, taxiing, the flight and the turnaround times;

(c) work patterns which avoid undesirable practices such as alternating the day and night duties, alternating eastward-westward or westward-eastward time zone transitions, positioning crew members so that a serious disruption of the established sleep or work pattern occurs;

(d) that there are sufficient rest periods after long flights which cross several time zones;

(e) the preparation of duty rosters, sufficiently, in advance with planning of recurrent extended recovery rest periods; and

(f) the requirement for notification of the crew members well in advance to enable the crew members to plan adequate pre-duty rest.

(2) All the time spent on an aircraft as an assigned flight crew member or as a relief flight crew member, whether resting or performing tasks, shall be included in the determination of the flight duty period.

(3) Where an operator requires a flight crew member to engage in transportation for positioning, for more than 4 hours, one half of that time shall be included in the calculation of the flight duty period, unless a flight crew member is given ten hours of rest on the ground before being assigned to flight duty.

(4) For the purposes of subregulation (3), all the time spent in transportation for positioning is duty time and is not rest period.

(5) For the purposes of determining the maximum flight duty period, transportation for positioning is not considered a flight segment.

(6) An operator shall not schedule a crew member for an assignment involving the extension of the flight duty period for the cabin crew for up to a maximum of 18 hours, unless—

(a) not more than 2 landings are carried out within the flight duty period;

(b) rest facilities are available on board for resting cabin crew members; and

(c) each cabin crew member is relieved of all tasks during a part of the flight.

(7) For the avoidance of doubt, a crew member shall not accept an assignment which is contrary to the requirements of subregulation (6).

15. Flight duty roster

(1) An operator shall publish duty rosters at least fourteen days before the date of the duty to which the duty roster relates.

(2) An operator shall establish performance indicators for the duty roster which shall be used to monitor the effectiveness of the roster.

(3) An operator shall demonstrate how operationally effective the duty roster is, by studying the performance of the crew on the duty roster for a specified period, within the planned duration of that period.

(4) When scheduling night duties of more than ten hours for a member of the flight crew who is adapted to being awake during day time hours at the local time where he or she is acclimatised, the operator shall ensure that before the night duty, the crew member scheduled for night duty obtains sufficient sleep.

(5) To optimise alertness on a long night duty, an operator shall consider the likelihood of the crew member obtaining sleep as close as possible to the start of the flight duty period, when scheduling rest periods before long night duties, by providing sufficient time to the crew member to adapt to being awake during the night.

(6) Subject to subregulation (5) scheduling duty periods which lead to extended wakefulness before reporting for such duties shall be avoided.

(7) For the purposes of this regulation, the fatigue risk management principles that shall be applied to the scheduling of long night duties may include—

(a) avoidance of long night duties after extended recovery rest periods;

(b) progressive delay of the scheduled end time of the flight duty periods preceding long night duties;

(c) starting blocks of night duties with shorter flight duty periods; and

(d) avoidance of the sequence of early starts and long night duties.

(8) The fatigue risk management principles may be applied to the scheduling of long night duties using—

(a) the operational experience of the operator or of the aviation industry or data collected on similar operations;

(b) evidence-based scheduling practices; or

(c) bio-mathematical models.

(9) For purposes of this regulation, in-flight rest shall be taken during the cruise phase of the flight and in-flight rest periods shall be allocated in a way that optimizes the alertness of the flight crew members who are at the control during landing.

Part III—Prescriptive Duty Periods For Flight Crew and Cabin Crew members

16. Duty periods

(1) A crew member shall be considered to be on duty if he or she is performing any tasks on behalf of the operator.

(2) Tasks performed during an emergency or an adverse situation which is beyond the control of an operator shall not be considered in the calculation of duty period and a crew member shall be considered to be in compliance with prescribed duty limitations, if he or she exceeds the duty limitations while performing tasks during an emergency or adverse situation which is beyond the control of the operator.

17. Cumulative duty hours

(1) An operator shall not schedule any crew member for duty where the duty period exceeds—

(a) one thousand eight hundred hours in any twelve consecutive months;

(b) one hundred and ninenty hours in any twenty eight consecutive days; and

(c) fifty five hours in any 7 consecutive days.

(2) For the avoidance of doubt, a crew member shall not accept any assignment that is scheduled contrary to the requirements of subregulation (1).

(3) For the purposes of subregulation (1), the duration of a break during a split-duty assignment shall be calculated in the following manner—

(a) where the break is less than 8 hours, the full period of the break shall be accountable; and

(b) where the break is 8 hours or more, fifty percent of the period of the break shall be accountable.

18. Flight time and duty period

(1) An operator shall not schedule any crew member for an assignment for flight duty periods that exceed the limitations specified in subregulation (3).

(2) For the avoidance of doubt, a crew member shall not accept any assignment that is scheduled contrary to the requirements of subregulation (1).

(3) The total duty periods to which a crew member may be assigned shall not exceed—

(a) sixty duty hours in any 7 consecutive days;

(b) one hundred and ten duty hours in any fourteen consecutive days; and

(c) one hundred and ninenty duty hours in any twenty eight consecutive days, spread as evenly as practicable throughout that period.

(4) The total flight time of the sector of a flight on which an individual crew member is assigned as an operating crew member shall not exceed—

(a) thirty four hours of flight in any 7 days;

(b) one hundred hours of flight in any twenty eight consecutive days;

(c) nine hundred hours of flight in any calendar year; and

(d) one thousand hours of flight in any twelve consecutive calendar months.

(5) For the purposes of this regulation, a crew member is considered to be on duty when he or she is performing any tasks on behalf of the operator.

(6) All the time spent on an aircraft as an assigned or relief crew member, whether the crew member is resting or performing tasks, shall be included in the calculation of the flight duty period.

(7) Where an operator requires a flight crew member to engage in positioning transportation of a period of more than 4 hours, one half of that time shall be included in the calculation of the flight duty period, unless a flight crew member is given ten hours of rest on the ground before being assigned to flight duty—

(a) all the time spent in positioning transportation is duty time and is not rest period; and

(b) for purposes of determining the maximum flight duty period, deadhead transportation is not considered a flight segment.

(8) An operator shall not schedule any cabin crew member for an assignment involving the extension of the flight duty period for cabin crew for up to a maximum of eighteen hours unless—

(a) not more than 2 landings are carried out within a flight duty period;

(b) rest facilities are available on board for resting cabin crew members; and

(c) each cabin crew member is relieved of all tasks during a part of the flight.

(9) For the avoidance of doubt, a crew member shall not accept any assignment that is scheduled contrary to the requirements of subregulation (8).

19. Post-flight duties

(1) An operator shall specify post-flight duty times taking into account the type of operation, the size and type of aircraft and the conditions of the airport.

(2) Post-flight duty shall count as duty period and the operator shall specify in the operations manual the minimum time period for post-flight duties.

20. Annual working time

A crew member shall not accumulate a total annual working time of more than two thousand hours during the period of twelve months.

21. Positioning

Where an operator positions a crew member, the following shall apply—

(a) positioning after reporting but prior to operating shall be counted as flight duty period but shall not count as a sector of the flight; and

(b) all time spent on positioning shall count as duty period.

22. Day duties

(1) An operator shall—

(a) define the reporting times appropriate to each individual operation as specified under regulation 26 (2) (c); and

(b) after consultation with the crew members concerned, establish procedures specifying how the pilot in command shall, in case of special circumstances which may lead to severe fatigue by reducing the actual flight duty period and increasing the rest period in order to eliminate any detrimental effect on flight safety.

(2) The start time of the flight duty period in Table 2 of Schedule 1 to these Regulations and Table 2 of regulation 30, refers to the 'reference time' and to the local time of the point of departure, where this point of departure is within a 2-hour wide time zone band around the local time where a crew member is acclimatised.

(3) The basic maximum daily flight duty period without extensions for acclimatised crew members shall be in accordance with Table 3 of Schedule 1 to these Regulations.

(4) The maximum daily flight duty period when crew members are in an unknown state of acclimatisation shall be in accordance with Table 3 in Schedule 1 of these Regulations.

(5) The maximum daily flight duty period when crew members are in an unknown state of acclimatisation and the operator has implemented a FRMS, shall be in accordance with Table 4 of Schedule 1 of these Regulations.

23. Night duties

Night duties shall comply with the following conditions—

(a) for purposes of determining the maximum flight duty period for consecutive night duties, the number of sectors of a flight shall be limited to 4 sectors of flight per night duty; and

(b) the operator shall apply appropriate fatigue risk management to manage the fatiguing effect of night duties of more than 10 hours in relation to the surrounding duties and rest periods.

24. Flight duty period extensions with or without in-flight rest

(1) For the purposes of extension of flight duty periods, an operator shall provide for in-flight rest facilities as follows—

(a) a class 1 rest facility, which shall—

(i) include a bunk or other surface that allows for a flat or near flat sleeping position and reclines to at least 80° back angle to the vertical; and

(ii) be located separately from both the flight crew compartment and the passenger cabin in an area that allows the crew member to control the lights and provides isolation from noise and disturbance;

(b) a class 2 rest facility which shall—

(i) include a seat in an aircraft cabin that reclines at least 45° back angle to the vertical, with at least a pitch of 55 inches (137.5 cm) and a width of at least 20 inches (50 cm) and which shall provide leg and foot support;

(ii) be separated from passengers by at least a curtain to provide darkness and some sound mitigation; and

(iii) be reasonably free from disturbance by passengers or crew members; or

(c) a class 3 rest facility which shall -

(i) include a seat in an aircraft cabin or flight crew compartment that reclines at least 40° from the vertical, which provides leg and foot support;

(ii) be separated from passengers by at least a curtain to provide darkness and some sound mitigation; and

(iii) not be adjacent to any seat occupied by passengers.

(2) The extension of flight duty period with in-flight rest under this regulation shall be based on the following—

(a) the flight duty period shall be limited to 3 sectors of a flight;

(b) a period of at least ninety consecutive minutes shall be provided for in-flight rest for each crew member; and

(c) a period of at least 2 consecutive hours shall be provided for in-flight rest for each of the flight crew members at control during landing.

(3) The maximum daily flight duty period under this regulation may be extended due to in-flight rest for flight crew as provided in this subregulation—

(a) where there is one additional flight crew member the maximum daily flight duty period may be extended—

(i) up to fourteen hours with class 3 rest facilities;

(ii) up to fifteen hours with class 2 rest facilities; or

(iii) up to sixteen hours with class 1 rest facilities;

(b) where there are two additional flight crew members the maximum daily flight duty period may be extended—

(i) up to fifteen hours with class 3 rest facilities;

(ii) up to sixteen hours with class 2 rest facilities; or

(iii) up to seventeen hours with class 1 rest facilities.

(4) The minimum in-flight rest for each cabin crew member shall be provided as specified under Table 9 of Schedule 1 to these Regulations.

(5) The limits specified in subregulation (2) may be increased by 1 hour for flight duty periods that include a minimum of one sector of a flight of more than 9 hours of continuous flight time and a maximum of 2 sectors of a flight.

(6) All the time spent in a rest facility shall be counted as flight duty period.

(7) The minimum rest at destination shall be—

(a) at least as long as the preceding duty period; or

(b) fourteen hours,

whichever is greater.

(8) A crew member shall not start a positioning sector of a flight as part of the operating crew on the same flight.

(9) An operator may delay the reporting time in the event of unforeseen circumstances, where procedures for delayed reporting are established in the operations manual and the operator maintains records of delayed reporting.

(10) The extension of flight duty period without in-flight rest under this regulation shall be limited to the values specified in Table 5 in Schedule 1 to these Regulations.

25. Split-duty assignments during flight

(1) An operator may increase the allowable planned flight duty period through the application of the split-duty policies specified in Table 4 of Schedule 1 to these Regulations and subject to the following conditions—

(a) the flight duty period shall not consist of more than 2 periods of duty;

(b) there shall be a single break of sufficient length;

(c) the concerned crew member shall be notified in advance;

(d) adequate facilities shall be provided for the crew members; and

(e) suitable accommodation shall be provided, where the break—

(i) is 6 hours or more; or

(ii) covers 3 hours or more of during the time period between two thousand two hundred hours to 0600 hours, local time, at the place where the break occurs.

(2) Subject to the conditions set out in subregulation (1), an operator shall not schedule any crew member for an assignment that involves a split-duty assignment, unless—

(a) parts of the flight duty period before and after the break do not exceed ten hours; and

(b) the total flight duty period does not exceed eighteen hours.

(3) For the avoidance of doubt, a flight crew member shall not accept any assignment that is scheduled contrary to the requirements of subregulation (2).

(4) Where the total travelling time, in both directions, between the place of duty and the place where the suitable accommodation is situated, exceeds one hour, any travelling time in excess of one-hour of the total shall be deducted from the break for the purpose of calculating the increased flight duty period.

(5) Augmented flight crew or cabin crew shall not be used to determine split-duty assignments for purposes of calculating the extension of the allowable flight duty period.

26. Other split-duty assignments

(1) The conditions for extending the basic maximum daily flight duty period due to a break on the ground shall include the following elements as applicable to the type of operation—

(a) in determining the flight time, the operator shall specify the following elements as applicable to the type of operation—

(i) the minimum duration of a break on the ground;

(ii) the possibility to extend the flight duty period taking into account the duration of the break on the ground; and

(iii) the facilities provided to the crew member to rest and other relevant factors;

(b) the break on the ground shall be taken in full as flight duty period; and

(c) split duty shall not follow a reduced rest.

(2) The extension of the basic maximum daily flight duty period due to a break on the ground shall be based on the following conditions—

(a) the break on the ground within the flight duty period shall have a minimum duration of 3 consecutive hours;

(b) the break on the ground shall exclude the time allowed for post and preflight duties and travelling and the minimum total time for post and pre-flight duties and travelling shall be thirty minutes;

(c) the maximum flight duty period may be increased by up to fifty percent of the break on the ground;

(d) suitable accommodation shall be provided either for a break of 6 hours or more or for a break that encroaches the WOCL; and

(e) in all other cases where paragraph (d) does not apply, accommodation shall be provided, and in this case, any time of the actual break which exceeds 6 hours or any time of the break that encroaches the WOCL shall not count for the extension of the flight duty period.

(3) Split duty shall not be combined with in-flight rest.

(4) An operator shall specify in the operations manual the actual times required for subregulation (2) (b).

27. Augmented flight crew assignments

(1) An operator shall not schedule any crew member for an assignment involving the use of an augmented flight crew which increases the length of a flight duty period for more than—

(a) eighteen hours, where every flight crew member may leave his or her post for at least fifty percent of the total flight time of all flights within the flight duty period; or

(b) sixteen hours, where every flight crew member may leave his or her post for at least twenty five percent of the total flight time of all flights within the flight duty period.

(2) An operator shall not schedule any crew member for an assignment that involves the use of an augmented flight crew to increase the length of a flight duty period unless the crew is scheduled to carry out no more than—

(a) 2 landings within a flight duty period; or

(b) 3 landings, if the following conditions are met—

(i) the flight time for one sector of the flight is 3 hours or less; and

(ii) the rest period immediately following the flight duty period is increased by 6 hours.

(3) An operator shall not schedule any crew member for an assignment that involves the use of an augmented flight crew to increase the length of a flight duty period unless there are adequate rest facilities, approved by the authority, available on board the aircraft, for all the flight crew members.

(4) For the avoidance of doubt, a flight crew member shall not accept any assignment that is scheduled contrary to the requirements of this regulation.

28. Mixed flying types of operation

An operator shall not schedule any flight crew member for mixed flying types of operation, such as flight simulator and conversion or recurrent training flights prior to commercial air transport flights unless authorised by the authority.

29. On-call duty

When assigning the scheduled on-call duty to crew members, an operator shall—

(a) apply the on-call duty period limitation for flight crew members set out in Table 5 of Schedule 1 to these Regulations;

(b) provide suitable rest facilities where—

(i) a member of the flight crew is requested for call duty at a distance base; and

(ii) on-call duty is to be carried out at the aerodrome;

(c) maintain records of the scheduled on-call duty for the crew members and make them available before a person begins their duty or their first flight of the day;

(d) include in the total duty time prescribed in this Part, the following—

(i) fifty percent of the on-call duty time, excluding the first 4 hours of on-call duty done at home; and

(ii) if being notified for the duty, fifty percent of the notification time is calculated if the notice period is less than ten hours;

(e) ensure that a flight crew member who has completed on-duty call time without doing the duty, has a rest period of at least ten hours before commencing duty or the next on-call duty.

30. Time zone difference

(1) For the purpose of this regulation, "rotation" shall refer to a series of duties, including at least one flight duty, and a rest period out of home base and rotation shall start at the home base and end on return to the home base for a rest period where the operator is no longer responsible for the accommodation of the crew member.

(2) The operator shall monitor rotations and combinations of rotations in terms of the effect of the rotations on the fatigue of the crew members and shall adapt the duty rosters as may be necessary.

(3) The differences in time zones shall be compensated by additional rest at the home base and where the rotation involves a time difference of 4 hours or more, the minimum rest shall be as specified in Table 2 of this subregulation—

Table 2

Minimum local nights of rest at home base to compensate for time zone differences

Maximum time difference (hours) between reference time and local time where a crew member rests during a rotation	**Time elapsed (hours) since reporting for the first Duty Period in a rotation involving at least 4-hour time difference to the reference time**			
	< 48	48 – 71:59	72 – 95:59	≥96
≤6	2	2	3	3
≤9	2	3	3	4
≤12	2	3	4	5

(4) An operator shall, in case of an eastward-westward or a westward-eastward transition, provide the crew members with at least 3 local nights of rest at the home base between alternating rotations.

(5) A combination of rotations shall be monitored using fatigue management system of the operator.

31. Rest and duty limitations for persons performing maintenance functions in Approved Maintenance Organisation

(1) An Approved Maintenance Organisation shall not—

(a) assign an aircraft maintenance functions to a person unless the assignee has had a minimum rest period of 8 hours prior to the beginning of duty; or

(b) schedule a person to perform maintenance functions on an aircraft for more than twelve consecutive hours of duty.

(2) A person shall not—

(a) perform maintenance functions on an aircraft unless that person has had a minimum rest period of 8 hours prior to beginning the duty; or

(b) perform maintenance functions on an aircraft for more than twelve consecutive hours of duty.

(3) An Approved Maintenance Organisation shall relieve the person performing maintenance functions for a period of 7 consecutive days, from all duties for a period of twenty four consecutive hours.

(4) Where an aircraft maintenance engineer or the employer of aircraft maintenance engineer knows or suspects that the aircraft maintenance engineer is suffering from or, having regard to the circumstances of the period of duty to be undertaken, is likely to suffer from fatigue which may endanger the safety of any aircraft to which an engineer may be assigned to perform duties—

(a) the aircraft maintenance engineer shall not accept to perform such duties; and

(b) the employer shall not permit the aircraft maintenance engineer to perform the duties.

(5) An operator shall apply appropriate fatigue risk management to actively manage the fatigue effect of night duties of more than ten hours in relation to the surrounding duties and rest periods.

(6) The total duty hours which may be assigned to an aircraft maintenance engineer shall not exceed sixty duty hours in any 7 consecutive days.

32. Fatigue management in air traffic control service

(1) An Air Traffic Service Provider shall establish procedures for the purpose of managing fatigue in the provision of air traffic services.

(2) The Air Traffic Service Provider shall subject to subregulation (1), base the procedures upon scientific principles, knowledge and operational experience, with the aim of ensuring that air traffic controllers perform at an adequate level of alertness.

(3) For purposes of managing fatigue-related safety risks, the Air Traffic Service Provider shall establish one of the following—

(a) air traffic controller schedules commensurate with the services provided in compliance with prescriptive limitations specified in these Regulations;

(b) a FRMS, in compliance with these Regulations; and

(c) a FRMS, which shall be in compliance with these Regulations, with regard to the defined part of its air traffic control services and with regard to the prescriptive limitation.

(4) The Air Traffic Service Provider shall—

(a) provide evidence that the prescribed limitations are not exceeded and that the non-duty period requirements are met;

(b) familiarize air traffic control personnel with the principles of fatigue management and policies with regard to fatigue management;

(c) apply for variations from the prescriptive limitation regulations to address any additional risks associated with sudden, unforeseen operational circumstances; and

(d) subject to paragraph (c), demonstrate that any associated risk is being managed to a level of safety equivalent to, or better than that achieved under the provisions on prescriptive fatigue management.

(5) In the course of provision of air traffic control services, an Air Navigation Services Provider shall ensure that the following are established—

(a) a duty roster system that addresses duty period time and adopted rest period shall be established; and

(b) the duty roster system shall specify—

(i) the maximum consecutive working days of duty;

(ii) the maximum hours per duty period;

(iii) the maximum time for providing air traffic control service without breaks;

(iv) the ratio of duty periods to breaks when providing air traffic control service;

(v) the minimum rest periods;

(vi) the maximum consecutive duty periods that encroach on the night time, where applicable, depending upon the operating hours of the air traffic control unit concerned;

(vii) the minimum rest period after a duty period encroaching the night time; and

(viii) minimum number of rest periods within a roster cycle, and how these shall be implemented and monitored.

(6) An air traffic controller shall not perform any safety relevant tasks when he or she knows that he or she is fatigued or feels unfit to the extent that safety may be adversely affected.

(7) Subject to subregulation (6), where an air traffic controller or the employer of the air traffic controller knows or suspects that the air traffic controller is suffering from or, having regard to the circumstances of the period of duty to be undertaken is likely to suffer from fatigue in a way that may endanger the safety of any aircraft to which an air traffic control service may be provided—

(a) the air traffic controller shall not accept to act as an air traffic controller; and

(b) the employer of the air traffic controller shall not allow the air traffic controller to act as such.

33. Maximum working hours for air traffic controllers

Except in an emergency, an air traffic controller shall not serve or be required to serve—

(a) for more than ten hours in any duty period;

(b) for more than ten hours during a period of twenty four consecutive hours, unless the air traffic controller has had a rest period of at least 8 hours at the end of or before the end of, ten hours of duty;

(c) for more than 3 consecutive work days;

(d) for more than fifty hours within 7 days; or

(e) for time-in-position of 4 consecutive hours, depending on traffic level.

34. Minimum rest periods for air traffic controllers

An Air Traffic Services Provider shall ensure that—

(a) the duration of non-duty periods for an air traffic controller between duty periods is not less than fifty four hours

between the end of one consecutive period of duty and another period of duty;

(b) the number of non-duty days for air traffic controllers within a period of twenty eight days is not less than 8 days;

(c) in determining the minimum rest period, consideration is made of time for travelling and handover; and

(d) no operational duty exceeds a period of 4 continuous hours without periods of breaks, totalling not less than thirty minutes, being taken during the period or at the end of the period and that during the periods of break an air traffic controller does not exercise the privileges of his or her licence.

35. Unscheduled duties for air traffic controllers

For unscheduled duties to be performed by an air traffic controller, the Air Traffic Service Provider shall when assigning such duties, establish a process that ensures that the air traffic controller is not awake for extended periods of time.

36. Variations to scheduling limits for air traffic controllers

(1) An Air Traffic Service Provider shall, subject to regulation 32 (4)(c), provide for approval by the authority, any variations to the scheduling limits.

(2) The variations to the scheduling limits shall include—

(a) the reason for the need for the variation;

(b) the extent of the deviation;

(c) the date and time of enactment of the deviation; and

(d) a safety case, outlining mitigations to support the deviation.

(3) The process for variation shall be as specified in the applicable technical guidance material issued by the authority.

37. Fatigue Risk Management System (FRMS)

(1) Where an Air Traffic Service Provider implements a FRMS to manage the fatigue-related safety risks in accordance with this Part of the Regulations, the Air Traffic Service Provider shall establish a process to integrate the functions of the FRMS with the other safety management functions of the Air Traffic Service Provider.

(2) The FRMS established by the Air Traffic Service Provider shall provide a level of safety acceptable to the authority.

(3) The FRMS established by the Air Traffic Service Provider shall be approved by the authority in accordance with the process specified in the applicable technical guidance material issued by the authority.

Part V—Rest Periods for Crew Members and Flight Operations Officers

38. Rest period

(1) A crew member shall not—

(a) perform any duty unless he or she has had at least the minimum rest period applicable to the duty, as prescribed by these Regulations; or

(b) accept an assignment during any specified rest period.

(2) An operator may reduce the rest period of a crew member, and where the operator reduces the rest period, the reduction shall be within the limitations prescribed in Tables 6 and 7 of Schedule 1 to these Regulations.

(3) A person shall not fly in an aircraft, to which these Regulations apply, as a crew member unless immediately before the duty period, the person has had a sufficient rest period as prescribed in Table 10 of Schedule 1 to these Regulations.

(4) Where a rest period is taken by a person at a place which is not within fifty miles of the ordinary place of residence of that person, it shall be deemed to be a sufficient rest period if the rest period includes a period of eight hours falling between two thousand two hundred hours and 0800 hours local time as set out in Table 8 of Schedule 1 to these Regulations.

(5) Where the time spent in local transportation is in excess of thirty minutes, that time shall not be considered a part of the rest period of a crew member.

(6) The time spent in transportation which is not local in character and which is required by the operator to position crew members to or from flights shall not be not considered part of the rest period of a crew member.

(7) The time spent in transportation on an aircraft at the insistence of the operator to or from the home station of a crew member shall not be considered part of a rest period.

39. Duty and rest periods for flight operations officers

(1) An operator shall not schedule a flight operations officer for more than ten consecutive hours of duty within a twenty four consecutive hour period, unless the flight operations officer is given an intervening rest period of at least 8 hours at, or before, the end of the ten hours duty.

(2) An operator shall establish the daily duty period for a flight operations officer so that it includes a time that allows the flight operations officer to become familiar with existing and anticipated weather conditions along the route before he or she dispatches an aircraft.

40. Minimum rest periods for seven and ten consecutive days

An operator shall relieve the flight crew member, flight operations officer and cabin crew member from all duties for—

(a) thirty six consecutive hours, during any period of 7 consecutive days; and

(b) sixty consecutive hours, during any period of ten consecutive days.

41. Records of flight time and duty period

(1) An operator of an aircraft to which these Regulations apply shall not cause or permit any person to fly as a crew member unless the operator has an accurate and up-to-date record maintained by the operator or by another operator, in respect of that person and in respect of the twenty eight days immediately preceding the flight.

(2) The record referred to in subregulation (1) shall indicate—

(a) the time of the beginning and the time of the end of each flight made by that person as a crew member in the course of any of the duty periods;

(b) the time of the beginning and the time of the end of each duty period of that person in the course of which the person made a flight as a crew member;

(c) the time of the beginning and the time of the end of each duty period of that person, ending within a period of seventy two hours immediately preceding the beginning of any duty period of that person in the course of which he or she made a flight in any aircraft as a crew member; and

(d) brief particulars of the nature of the work or other duties carried out by that person during each of the duty periods of the crew member, the record of which is required to be kept under these Regulations.

(3) For the purposes of subregulation (2) (d), an operator of an aircraft shall preserve the records referred to in the subregulation for a period of at least 6 months after the end of the flight duty period or rest period to which the records relate.

42. Duties of operators to prevent excessive fatigue of crew members

An operator of an aircraft to which these Regulations apply shall ensure, in respect of each person flying as a crew member of that aircraft, that—

(a) the periods during which that person is required or permitted by the operator to carry out any other work or duties are limited in length and frequency;

(b) for a flight crew member, that is afforded such period for rest, that his or her work and duties are not likely to cause the person such fatigue that may endanger the safety of the aircraft;

(c) for another crew member, that is afforded such period for rest, such that the efficiency of the crew member to adequately perform duties related to possible evacuation or control of passengers or to the provision of assistance in the event of an emergency situation, is not impaired.

43. Minimum rest period for flight crew and cabin crew

(1) An operator shall ensure that the minimum rest period of the flight and cabin crew is not less than—

(a) 9 hours, for flight crew members; and

(b) 8 hours, for cabin crew members.

(2) For the purposes of subregulation (1), an operator shall ensure that, before the start of a flight duty period, a crew member has completed a rest period—

(a) at least, the same length of time as the preceding duty period; or

(b) of eleven hours,

whichever is the longer period.

(3) The minimum rest period following a flight duty period in which split-duty may be applied shall be at least as long as the total flight duty period, including the break.

(4) For the purpose of subregulation (3), where suitable accommodations is provided, the duration of any break shall not be included in the calculation of the rest period and the operator may reduce the rest period by three hours to eleven hours, as may be applicable, subject to the following conditions—

(i) the previous rest period must have been completed in accordance with subregulation (3);

(ii) the amount by which the rest period is reduced shall be added to the next rest period and shall not be reduced; and

(iii) the amount of time by which the rest period is reduced shall be deducted from the subsequent allowable flight duty period.

44. Time elapsed since reporting

The time since reporting for a rotation involving at least a 4-hour time difference to the reference time, elapses and stops counting when the crew member returns to his or her home base for a rest period during which the operator is no longer responsible for the accommodation of the crew member.

45. Pattern of work

(1) An operator who organises work in a specific pattern shall take into account the health and safety of the crew members to ensure that the pattern—

(a) provides the crew members with adequate rest breaks; and

(b) offers the crew members work within the scope of their duties.

(2) An operator shall maintain information relating to the working patterns of the crew members, for a period of not less than twenty four months.

(3) An operator shall, upon request provide such information as the Authority may specify relating to the working patterns of the crew members.

46. Nutrition

(1) An operator shall ensure that during the flight duty period, especially for a flight duty period that exceeds 6 hours, there is a meal and drink for the crew members, in order to avoid any detriment to the performance of the crew members.

(2) For the purposes of subregulation (1), an operator shall specify in the operations manual, the nutrition of the crew member during flight duty period, including—

(a) the minimum duration for the meal, in particular where the flight duty period encompasses the regular meal windows; and

(b) the time frame during which regular meals are to be consumed in order not to alter the human needs for nutrition without affecting the body rhythms of the crew member.

Part VI—Fatigue Risk Management Systems

47. Approval of FRMS

(1) An operator and an Air Navigation Service Provider may, in lieu of any or all of the prescriptive fatigue management requirements prescribed under these Regulations, adopt a FRMS prescribed under this Part, for the purposes of managing fatigue related safety risks.

(2) The authority shall, approve the FRMS adopted by an operator or an Air Navigation Service Provider, as the case may be, under subregulation (1).

(3) The authority shall for the purposes of approving the FRMS under this regulation, determine that the FRMS of an operator or Air

Navigation Services Provider, as the case may be, provides a level of safety equivalent to, or better than, the prescriptive fatigue management requirements prescribed under these Regulations.

(4) The FRMS shall include a process that ensures a level of safety equivalent to, or better than, the prescriptive fatigue management approach prescribed under these Regulations.

(5) Where an operator or an Air Navigation Service Provider, as the case may be, adopts fatigue risk management approaches in accordance with the requirements of this Part, for all of its operations or parts of its operations, the authority may approve, variations to these Regulations on the basis of a risk assessment provided by the operator or an Air Navigation Services Provider, as the case may be.

(6) For the purposes of subregulation (5), the proposed variations shall provide a level of safety equivalent to or better than that achieved using the fatigue management approach.

(7) For purposes of subregulation (4), an operator or Air Navigation Services Provider, as the case may be, shall—

(a) establish maximum values for flight times, flight duty periods, and minimum values for rest periods based upon scientific principles and knowledge and subject to safety assurance processes;

(b) cater for a decrease in the maximum values and an increase in minimum values, in the event that the data indicates that the values are too high or too low, respectively; and

(c) provide a justification for the changes, based on accumulated FRMS experience and fatigue- related data.

(8) A FRMS shall be eligible for approval, where, as a minimum, the FRMS meets the requirements specified in Schedule 2 to these Regulations and—

(a) incorporates scientific principles and knowledge;

(b) has mechanisms to identify fatigue-related safety hazards and the resulting risks on an ongoing basis;

(c) has mechanisms to ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;

(d) has mechanisms for continuous monitoring and regular assessment of the mitigation of fatigue related risks; and

(e) provides for performance evaluation and continuous improvement to the overall performance of the FRMS.

(9) An operator and the Air Navigation Services Provider shall establish a FRMS policy as provided for in Schedule 2 to these Regulations.

48. Implementation of FRMS

An operator and an Air Navigation Services Provider that adopts the FRMS prescribed under this Part shall—

(a) comply with requirements of this Part;

(b) establish processes to integrate the FRMS functions with its other safety management functions; and

(c) submit to the authority for approval, a FRMS manual containing the processes to be adopted to provide a level of safety acceptable to the authority as required under regulation 50.

49. Integration of FRMS and SMS

An operator and an Air Navigation Services Provider that has established a FRMS shall ensure that the system is integrated with the Safety Management System of the operator or Air Navigation Services Provider, as the case may be.

50. FRMS manual

An operator and an Air Navigation Services Provider shall maintain fatigue risk management documentation that shall—

(a) describe the fatigue risk management policy and objectives of the operator or Air Navigation Services Provider, as the case may be;

(b) describe the fatigue risk management processes and procedures of the operator or Air Navigation Services Provider, as the case may be;

(c) describe the accountabilities, responsibilities and authorities for these processes and procedures of the operator or Air Navigation Services Provider, as the case may be;

(d) describe the mechanisms for on-going involvement of management, flight and cabin crew members, and all other involved personnel of the operator or Air Navigation Services Provider, as the case may be;

(e) describe the fatigue risk management training programmes, training requirements and attendance records of the operator or Air Navigation Services Provider, as the case may be;

(f) record the scheduled and actual flight times, duty periods and rest periods with deviations and reasons for deviations; and

(g) record the fatigue risk management outputs including findings from collected data, recommendations, and actions taken.

51. Identification of fatigue hazards

(1) An operator or an Air Navigation Services Provider shall establish records of the process for the identification of fatigue hazards.

(2) The process for the identification of fatigue hazards shall be—

(a) predictive, for which purpose the process shall identify fatigue hazards by examining crew scheduling, taking into account factors known to affect sleep and fatigue and their effects on performance and the crew scheduling to be examined shall include—

(i) the operational experience of the operator or of the industry and data collected on similar types of operations;

(ii) evidence-based scheduling practices; and

(iii) bio-mathematical models.

(b) proactive, for which purpose the process shall identify fatigue hazards within the current flight operations, including—

(i) self-reporting of fatigue risks;

(ii) crew fatigue surveys;

(iii) relevant flight and cabin crew performance data;

(iv) available safety databases and scientific studies; and

(v) analysis of planned versus actual time worked.

(c) reactive, for which purpose the process shall identify the contribution of fatigue hazards to reports and events associated with potential negative safety consequences in order to determine the impact of fatigue and how it may have been minimised, and the reports and events shall include—

(i) fatigue reports;

(ii) confidential reports;

(iii) audit reports;

(iv) incidents; and

(v) flight data analysis events.

52. Risk assessment

(1) An operator and an Air Navigation Services Provider shall—

(a) develop risk assessment procedures that determine the probability and potential severity of fatigue related events and shall implement these procedures; and

(b) identify when the associated risks require mitigation.

(2) The risk assessment procedures referred to in subregualtion (1) shall include a review of identified hazards and linkage of the identified hazards to—

(a) the operational processes;

(b) their probability;

(c) the possible consequences; and

(d) the effectiveness of existing safety barriers and controls.

53. Risk mitigation

An operator shall develop and implement risk mitigation procedures which shall be used to—

(a) select the appropriate mitigation strategies;

(b) implement the mitigation strategies; and

(c) monitor the effectiveness of strategies implementation.

54. FRM safety assurance processes

(1) An operator and an Air Navigation Services Provider shall maintain FRM safety assurance processes to provide for continuous performance monitoring, analysis of trends, and measurement to validate the effectiveness of the fatigue safety risk controls.

(2) For the purposes of subregulation (1), an operator and an Air Navigation Services Provider may source information from the following—

(a) hazard investigations and reporting;

(b) audits and surveys; and

(c) reviews and fatigue studies.

(3) The process for management of change shall include—

(a) identification of changes in the operational environment that may affect fatigue risk management;

(b) identification of changes within the organisation that may affect fatigue risk management; and

(c) consideration of available tools which may be used to maintain or improve fatigue risk management performance prior to implementing changes.

(4) The safety assurance processes shall provide for the continuous improvement of fatigue risk management and this shall include—

(a) the elimination or modification of risk controls that have had unintended consequences or that are no longer needed due to changes in the operational or organisational environment;

(b) routine evaluations of facilities, equipment, documentation and procedures; and

(c) the determination of the need to introduce new processes and procedures to mitigate emerging fatigue-related risks.

55. FRM promotion process

(1) An operator, an Air Navigation Services Provider and an Approved Maintenance Organisation shall conduct fatigue risk management promotion process to support the development of FRMS, the continuous improvement of its overall performance, and attainment of optimum safety levels.

(2) An operator, an Air Navigation Services Provider and an Approved Maintenance Organisation shall, as part of the fatigue risk management promotion process implement—

(a) training programmes to ensure competency commensurate with the roles and responsibilities of management, flight and cabin crew, and all other concerned personnel under the fatigue risk management; and

(b) an effective fatigue risk management communication plan that—

(i) explains fatigue risk management policies, procedures and responsibilities to all relevant stakeholders; and

(ii) describes communication channels used to gather and disseminate fatigue risk management related information.

56. Rationale for variation

(1) An operator, an Air Navigation Services Provider and an Approved Maintenance Organisation may apply in writing to the authority requesting for variation of fatigue risk management in case of—

(a) unexpected circumstances beyond the control of the service provider; and

(b) expected but exceptional circumstances.

(2) The authority may upon satisfactory assessment of circumstances, grant the applicant, variations on the prescribed limits to meet operational needs and risks.

(3) For the purposes of subregulation (1) (a), the authority may—

(a) approve variations extending beyond prescribed limits to enable such on-the-day extensions;

(b) determine outer limits and the circumstances in which variations may be used to grant flexibility; and

(c) permit the applicant flexibility to manage on-the-day disruptions by requiring the applicant to develop on-the-day response protocol.

(4) The operator shall retain records of work and non-work periods including planned and actual work and non-work periods, with significant deviations from prescribed limits and minima.

57. Analysis and audit on flexibility records

(1) The authority shall—

(a) conduct analysis of work and non-work records, including the use of any flexibility provisions by the operator for purposes of monitoring compliance; and

(b) conduct further analysis of the records referred to in paragraph (a), coupled with fatigue reports, to identify fatigue risk associated with operators rostering practices.

(2) The authority shall retain the records for audit purposes for a period of time as may determined by the applicable laws.

Part VII—General

58. Application for exemptions

(1) A person may apply to the authority for an exemption from any provision of these Regulations.

(2) A request for exemption shall be made in accordance with the requirements of these Regulations.

(3) An application for exemption shall be submitted and processed in a manner prescribed in the applicable technical guidance material.

(3) A request for an exemption shall contain—

(a) the name of the applicant;

(b) the physical address and mailing address of the applicant;

(c) the telephone number of the applicant;

(d) where available, the fax number of the applicant; and

(e) where available the email address of the applicant.

(4) The application shall be accompanied by a fee prescribed by the authority in the applicable aeronautical information circulars for technical evaluation.

59. Exemptions

(1) The authority may, upon consideration of the circumstances of a particular person issue an exemption providing relief from specified provisions of these Regulations, provided that—

(a) the authority finds that the circumstances presented warrant the exemption; and

(b) a level of safety shall be maintained at a standard equal to the standard provided by the Regulations from which the exemption is sought.

(2) The exemption issued under subregulation (1) may, at any time, be terminated or amended by the authority.

(3) A person who is granted an exemption shall notify the management and the personnel who are to perform the function which is subject to the exemption.

60. Possession of the approval or authorisation

A person who is issued an approval or authorisation by the authority shall have physical possession of the approval or authorisation or shall

have the approval or authorisation displayed at the work station when exercising the privileges of that approval or authorisation .

61. Inspection of approval or authorisation

A person who is issued an approval or authorisation shall upon request by the authority or any person authorised by the authority, present the approval or authorisation for inspection.

62. Replacement of approval or authorisation documents

An operator may apply to the authority in a form and manner determined by the authority in the applicable technical guidance material for replacement of documents issued under these Regulations, when such documents are lost or destroyed.

63. Suspension and revocation of approval or authorisation

(1) The authority may, where it considers it to be in public interest, suspend provisionally, pending further investigation, any approval or authorisation issued under these Regulations.

(2) The authority may, upon the completion of an investigation which has shown sufficient ground to the satisfaction of the authority and where the authority considers it to be in public interest, revoke, suspend, or vary any approval or authorisation issued or granted under these Regulations.

(3) The authority may, where it considers it to be in public interest, prevent any person or aircraft from flying.

(4) A holder or any person having possession or custody of any approval or authorisation which has been revoked, suspended or varied under these Regulations shall surrender the approval or authorisation to the authority within fourteen days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any approval or authorisation has been granted or issued under these Regulations shall render the approval or authorisation invalid during the continuance of the breach.

64. Use and retention of approval or authorisation and records

(1) A person shall not—

(a) use any approval or authorisation , exemption or such other document issued or required under these Regulations which has been forged, altered, revoked, or suspended, or to which that person is not entitled;

(b) forge or alter any approval or authorisation , exemption or any such other document issued or required by, or under these Regulations;

(c) lend any approval, authorisation or exemption or any such other document issued or required under these Regulations to any other person; or

(d) make any false representation for the purpose of procuring for himself or herself or any other person, the grant, issue, renewal or variation of approval, authorisation , exemption or any such other document.

(2) During the period for which it is required under these Regulations to be preserved, a person shall not—

(a) mutilate, alter, render illegible or destroy any records, or any entry made in a record which is required to be made by or under these Regulations to be maintained; or

(b) knowingly make, or procure or assist in the making of, any false entry in any record, or willfully omit to make a material entry in any such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in permanent and indelible ink.

(4) A person shall not purport to issue any approval, authorisation or any document for the purposes of these Regulations unless that person is authorised to do so under these Regulations.

(5) A person shall not issue any approval, authorisation, exemption or any other document of the kind referred to in these Regulations unless he or she has satisfied himself or herself that all the statements in the approval, authorisation or other document are correct, and that the applicant is qualified to hold that approval, authorisation or other document.

65. Reports of violation

(1) A person who knows of a violation of the Act, these Regulations, or any technical decisions, decrees, orders, circulars or directives made under the Act shall report it to the authority.

(2) The authority shall determine the nature and type of any additional investigation or enforcement action that shall be taken.

66. Enforcement of directives

(1) A person who fails to comply with any technical decisions, decrees, orders, circulars or directives given by the authority or by any authorised person shall be deemed for the purposes of these Regulations to have contravened that provision.

(2) The authority shall take enforcement action on any person regulated under these Regulations, that fails to comply with any provisions of these Regulations.

(3) The inspectors of the authority holding valid delegations shall take necessary actions to preserve safety where an undesirable condition has been detected.

(4) The action referred to in subregulation (2) may include—

(a) in the case of a body corporate, imposition of operating restrictions until such a time when the existing undesirable condition has been resolved; or

(b) in case of an individual, require that the individual does not exercise the privileges of the approval or authorisation until such a time that the undesirable condition has been resolved.

(5) In carrying out enforcement actions under this regulation, the inspectors shall act with due care and in good faith, in the interest of preserving safety.

67. Aeronautical user fees

(1) The authority shall notify applicants of the fees to be charged in connection with the issue, validation, renewal, extension or variation of any approval or authorisation or any other document, including the issue of a copies of these, or the undergoing of any examination, test, inspection or investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations by publishing orders, notices or proclamations.

(2) Upon an application being made in connection with which a fee is chargeable in accordance with subregulation (1), the applicant shall be required, before the application is entertained, to pay the fee chargeable.

(3) Where, payment of fees has been made and the application is withdrawn by the applicant or otherwise ceases to have effect or is rejected, the authority shall not refund the fees.

68. Extra- territorial application of Regulations

(1) Except where the context otherwise requires, the provisions of these Regulations shall—

(a) in so far as they apply, whether by express reference or otherwise, to crew operating aircraft registered in Uganda, apply to such crew wherever they may be;

(b) in so far as they apply, whether by express reference or otherwise, to crew when they are operating within Uganda;

(c) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything by any person in, or by any of the crew of, any aircraft registered in Uganda, shall apply to such persons and crew, wherever they may be; and

(d) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything in relation to any aircraft registered in Uganda by other persons shall, where such persons are citizens of Uganda, apply to them wherever they may be.

69. Contravention of Regulations

A person who contravenes any provision of these Regulations may have his or her approval, authorisation, exemption or other document revoked or suspended.

70. Penalties

(1) A person who contravenes any provision of these Regulations or an order, notice or proclamation made under these Regulations commits an offence.

(2) Where a member of the crew, an operator, an Air Navigation Services Provider or an Approved Maintenance Organisation is not the person who contravenes the provision of these Regulations, without prejudice to the liability of any other person under these Regulations, a member of the crew, an operator, an Air Navigation Services Provider or an Approved Maintenance Organisation shall be deemed for the purposes of this regulation to have contravened that provision unless the member of the crew, an operator, an Air Navigation Services Provider or an Approved Maintenance Organisation proves that the contravention occurred without their consent or connivance and that due diligence was exercised to prevent the contravention of the provisions.

(3) Where it is proved that an act or omission by any person is a contravention of a provision of these Regulations or an order, notice or proclamation made under these Regulations due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention of the provision of these Regulations.

(4) Where a person is charged with contravening a provision under these Regulations, or an order, notice or proclamation made under these Regulations by reason of him or her having been a member of the flight crew on flight for the purpose of commercial air transport operations, a member of flight crew shall be treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose in contravention of the provision, where he or she proves that he or she neither knew nor had reason to know that the flight was for that purpose.

(5) A person who contravenes any provision of these Regulations or order, notice or proclamation made under these Regulations not being a provision referred to in subregulation (8) commits an offence and is liable, on conviction, to a fine and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(6) The authority and any person specifically authorised by name or any police officer not below the rank of inspector specifically authorised by name by the Minister, may compound offences under Part A of Schedule 3 to these Regulations by assessing the contravention.

(7) A person convicted of compound offences referred to in subregulation (6) shall pay to the authority a fine not exceeding one hundred currency points.

(8) A person who contravenes any provision specified in Part B of Schedule 3 to these Regulations commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding four years or both.

(9) A person who contravenes any provision specified as an "A" provision in Schedule 3 to these Regulations commits an offence and is liable, on conviction to a fine not exceeding fifty currency points for each offence or each flight or to imprisonment for a term not exceeding two years or both.

(10) A person who contravenes any provisions of these Regulations not being a provision referred to in Schedule 3 to these Regulations, commits an offence and is liable, on conviction to a fine not exceeding one hundred currency points and in the case of a second or subsequent conviction for the same offence to a fine not exceeding two hundred currency points.

(11) Where any person is aggrieved by any decision made under these Regulations he or she may, within twenty-one days of such decision being made, appeal against the decision to High Court and the Criminal Procedure Code Act, shall apply *mutatis mutandis*, to every such appeal as if it were an appeal against a sentence passed by a High Court in the exercise of its original jurisdiction.

71. Revocation of S.I. No. 37 of 2020, savings and transitional

(1) The Civil Aviation (Fatigue Risk Management) Regulations, 2020 are revoked.

(2) An authorisation, instruction, exemption or approval granted by the authority under the regulations revoked by subregulation (1) and which is in force immediately before the commencement of these Regulations, shall have effect and shall continue in force as if granted under these Regulations, until it expires or is cancelled by the authority.

(3) Notwithstanding the continuance of any authorisation, instruction, exemption or approval under subregulation (2), a person who, at the commencement of these Regulations is carrying out any act, duty or operation affected by these Regulations shall, within six months from the commencement of these Regulations, or within such longer period as the Minister may, by notice in the Gazette prescribe, comply with the requirements of these Regulations.

(4) (4) Notwithstanding regulation 69, a person granted a authorisation, instruction, exemption or approval continued under subregulation (2) who does not comply with the requirements of these Regulations within the time prescribed under subregulation (3), shall have authorisation, instruction, exemption or approval cancelled by the authority.

SCHEDULES

SCHEDULE 1

DUTY PERIODS AND FLIGHT TIME LIMITATIONS

TABLE 1—ALLOWABLE FLIGHT DUTY PERIOD – TWO OR MORE PILOTS

regulation 12 (2)

(a) The maximum allowable flight duty period may be extended for two or more pilots operations as provided in the following table:

Reporting time	Number of landings as operating crew member		
	1-4	5	>= 6
0700-1759	0930	0830	0800
1800-2159	0830	0800	0800
2200-0459	0800	0830	0800
0500-0659	0830	0800	0800

(b) For flights operated by two or more pilots and conducted wholly under VFR, the allowable flight duty periods must be derived from the first column (column addressing 1-4 landings) in this case however there is no limit to the number of landings.

(c) Where the number of landings exceeds an average of 4 per hour, a break of at least 30 minutes must be taken within any period of 3 consecutive hours.

TABLE 2- MAXIMUM UNINTERRUPTED FLIGHT TIME

regulation 22 (2)

The maximum uninterrupted flight time for a member of a crew shall be—

Local Time of Start	Maximum Uninterrupted Flight Time
0700- 1359	11 hours
1400- 1759	10 hours
1800-0459	9 hours
0500-0659	10 hours

TABLE 3—ALLOWABLE FLIGHT DUTY PERIODS – MULTI- PILOT

regulation 23 (3) and (4)

The maximum allowable flight duty period may be extended during multi-pilot operations as provided in the following table:

Reporting time	Number of landings as operating crew member				
	1-2	3	4	5	>= 6
0700-1759	1300	1230	1200	1100	1030
1800-2159	1230	1200	1130	1030	1000
2200-0459	1200	1130	1100	0930	0900
0500-0659	1230	1200	1130	1030	1000

TABLE 4 - ACCEPTABLE SPLIT-DUTY EXTENSION

regulation 22 (5) and 25 (1)

Consecutive hours break	Increase in flight duty period
0- 2hours 59minutes	NIL
3 - 6 hours 59 minutes	1/2 length of break
7 - 10 hours 59 minutes	2/3 length of break or 1 1/2 length of break if at least 8 hours of the break fall between 2000-0800 local time where the break occurs

TABLE 5 - ON-CALL DUTY LIMITATION

regulation 24 (10) and 29 (a)

Notification Time	Maximum On-Call Duty Period
0 - 5 hours 59 minutes	12 Hours
From 6 hours and more	18 Hours

TABLE 6 — THE ACCEPTABLE METHODS FOR REDUCING FLIGHT CREW REST PERIODS

regulation 24 (4) and 38 (2)

Conditions required for flight crew member rest reduction.			
Flight Deck Duty Period (Hours)	Normal Rest Period (Hours)	Authorised Reduced Rest Period (Hours)	Next Rest Period if Reduction Taken
Less than 8	9	8	10
8 – 9	10	8	11
9 or more	11	9	12

TABLE 7—THE ACCEPTABLE METHODS FOR REDUCING CABIN CREW REST PERIODS

regulation 38 (2)

Conditions required for cabin crew member rest reduction				
Scheduled Duty Period (Hours)	Extra Cabin Crew Members Required	Normal Rest Period (Hours)	Authorised Reduced Rest Period (Hours)	Next Rest Period if Reduction Taken
14 or Less	0	9	8	10
14-16	1	12	10	14
16-18	2	12	10	14
18-20	3	12	10	14

TABLE 8: MAXIMUM DAILY FLIGHT DUTY PERIOD WITH EXTENSION

regulation 38 (4)

Starting time of flight duty period	**1-2 sectors of a flight (in hours)**	**3 sectors of a flight (in hours)**	**4 sectors of a flight (in hours)**	**5 sectors of a flight (in hours)**
0600-0614	not allowed	not allowed	not allowed	not allowed
0615-0629	13:15	12:45	12:15	11:45
0630-0644	13:30	13:00	12:30	12:00
0645-0659	13:45	13:15	12:45	12:15
0700-1329	14:00	13:30	13:00	12:30

1330-1359	13:45	13:15	12:45	not allowed
1400-1429	13:30	13:00	12:30	not allowed
1430-1459	13:15	12:45	12:15	not allowed
1500-1529	13:00	12:30	12:00	not allowed
1530-1559	12:45	not allowed	not allowed	not allowed
1600-1629	12:30	not allowed	not allowed	not allowed
1630-1659	12:15	not allowed	not allowed	not allowed
1700-1729	12:00	not allowed	not allowed	not allowed
1730-1759	11:45	not allowed	not allowed	not allowed
1800-1829	11:30	not allowed	not allowed	not allowed
1830-1859	11:15	not allowed	not allowed	not allowed
1900-0359	not allowed	not allowed	not allowed	not allowed
0400-0414	not allowed	not allowed	not allowed	not allowed
0415-0429	not allowed	not allowed	not allowed	not allowed
0430-0444	not allowed	not allowed	not allowed	not allowed
0445-0459	not allowed	not allowed	not allowed	not allowed
0500-0514	not allowed	not allowed	not allowed	not allowed
Starting time of flight duty period	**1-2 sectors of a flight (in hours)**	**3 sectors of a flight (in hours)**	**4 sectors of a flight (in hours)**	**5 sectors of a flight (in hours)**
0515-0529	not allowed	not allowed	not allowed	not allowed
0530-0544	not allowed	not allowed	not allowed	not allowed
0545-0559	not allowed	not allowed	not allowed	not allowed

TABLE 9: MINIMUM IN-FLIGHT REST (IN HOURS)

Regulation 24 (4)

Maximum extended flight duty period	**Minimum in-flight rest (in hours)**		
	Class 1	**Class 2**	**Class 3**
up to 14:30 hrs	1:30	1:30	1:30
1432-1500	1:45	2:00	2:20
1501-1530	2:00	2:20	2:40
1531-1600	2:15	2:40	3:00
1601-1630	2:35	3:00	not allowed
1631-1700	3:00	3:25	not allowed
1701-1730	3:25	not allowed	not allowed
1731-1800	3:50	not allowed	not allowed

TABLE 10: MINIMUM REST PERIODS FOR CREW MEMBERS

Regulation 38 (3)

Length of immediately preceding duty period	Minimum length of sufficient rest period
Not exceeding 10 hours	11 hours
Exceeding 10 but not exceeding 11 hours	12 hours
Exceeding 11 but not exceeding 12 hours	13 hours
Exceeding 12 but not exceeding 13 hours	14 hours
Exceeding 13 but not exceeding 14 hours	15 hours
Exceeding 14 but not exceeding 15 hours	16 hours
Exceeding 15 but not exceeding 16 hours	17 hours
Exceeding 16 but not exceeding 17 hours	19 hours
Exceeding 17 but not exceeding 18 hours	21 hours
Exceeding 18 but not exceeding 19 hours	23 hours
Exceeding 19 but not exceeding 20 hours	25 hours
Exceeding 20 but not exceeding 21 hours	27 hours
Exceeding 21 but not exceeding 22 hours	29 hours
Exceeding 22 but not exceeding 23 hours	31 hours
Exceeding 23 hours	33 hours

TABLE 11 – MINIMUM REST PERIOD: DISTANCE NOT WITHIN 50 MILES OF PLACE OF RESIDENCE

Regulation 38 (2)

Length of immediately preceding duty period	Minimum length of sufficient rest period
Exceeding 10 but not exceeding 11 hours	10 hours
Exceeding 11 but not exceeding 12 hours	12 hours
Exceeding 12 but not exceeding 14 hours	13 hours
Exceeding 14 but not exceeding 17 hours	15 hours
Exceeding 17 but not exceeding 20 hours	16 hours
Exceeding 20 but not exceeding 23 hours	17 hours
Exceeding 23 hours	18 hours

SCHEDULE 2

FATIGUE RISK MANAGEMENT SYSTEM

Regulation 47(8) and (9)

A FRMS established in accordance with Part VI of the Regulations, shall contain, at a minimum —

1. FRMS POLICY AND DOCUMENTATION

1.1 FRMS POLICY

1.1.1 An operator shall define its FRMS policy, with all elements of the FRMS clearly identified.

1.1.2 The policy shall require that the scope of FRMS operations be clearly defined in the operations manual and MANSOPs.

1.1.3 The policy shall—

(a) reflect the shared responsibility of management, flight and cabin crews, maintenance personnel, air traffic controllers, flight dispatchers and other involved personnel;

(b) clearly state the safety objectives of the FRMS;

(c) be signed by the accountable executive of the organisation ;

(d) be communicated, with visible endorsement, to all the relevant areas and levels of the organisation ;

(e) declare management commitment to effective safety reporting;

(f) declare management commitment to the provision of adequate resources for the FRMS;

(g) declare management commitment to continuous improvement of the FRMS;

(h) require that clear lines of accountability for management, flight and cabin crews, and all other involved personnel are identified; and

(i) require periodic reviews to ensure it remains relevant and appropriate.

1.2 FRMS DOCUMENTATION

An operator shall develop and keep current FRMS documentation that describes and records—

(a) FRMS policy and objectives;

(b) FRMS processes and procedures;

(c) accountabilities, responsibilities and authorities for these processes and procedures;

(d) mechanisms for ongoing involvement of management, flight and cabin crew members, and all other involved personnel;

(e) FRMS training programmes, training requirements and attendance records;

(f) scheduled and actual flight times, duty periods and rest periods with significant deviations and reasons for deviations noted; and

(g) FRMS outputs including findings from collected data, recommendations, and actions taken.

2. FATIGUE RISK MANAGEMENT PROCESSES

2.1 IDENTIFICATION OF HAZARDS

An operator shall develop and maintain three fundamental and documented processes for fatigue hazard identification:

2.1.1 Predictive

The predictive process shall identify fatigue hazards by examining crew scheduling and taking into account factors known to affect sleep and fatigue and their effects on performance. Methods of examination may include but are not limited to:

(a) operator or industry operational experience and data collected on similar types of operations;

(b) evidence-based scheduling practices; and (c) bio-mathematical models.

2.1.2 Proactive

The proactive process shall identify fatigue hazards within current flight operations. Methods of examination may include but are not limited to:

self-reporting of fatigue risks;

(a) crew fatigue surveys;

(b) relevant flight and cabin crew performance data;

(c) available safety databases and scientific studies; and (e) analysis of planned versus actual time worked.

2.1.3 Reactive

The reactive process shall identify the contribution of fatigue hazards to reports and events associated with potential negative safety consequences in order to determine how the impact of fatigue could have been minimized. At a minimum, the process may be triggered by any of the following:

(d) fatigue reports;

(e) confidential reports;

(f) audit reports;

(g) incidents; and

(h) flight data analysis events.

2.2 Risk assessment

2.2.1 An operator shall develop and implement risk assessment procedures that determine the probability and potential severity of fatigue-related events and identify when the associated risks require mitigation.

2.2.2 The risk assessment procedures shall review identified hazards and link them to:

(a) operational processes;

(b) their probability;

(c) possible consequences; and

(d) the effectiveness of existing safety barriers and controls.

2.3 Risk mitigation

An operator shall develop and implement risk mitigation procedures that:

(a) select the appropriate mitigation strategies; (b) implement the mitigation strategies; and

(c) monitor the strategies' implementation and effectiveness.

3. FRMS SAFETY ASSURANCE PROCESSES

The operator shall develop and maintain FRMS safety assurance processes to—

(a) provide for continuous FRMS performance monitoring, analysis of trends, and measurement to validate the effectiveness of the fatigue safety risk controls. The sources of data may include, but are not limited to:

(i) hazard reporting and investigations;

(ii) audits and surveys; and

(iii) reviews and fatigue studies;

(b) provide a formal process for the management of change which shall include but is not limited to:

(i) identification of changes in the operational environment that may affect FRMS;

(ii) identification of changes within the organisation that may affect FRMS; and

(iii) consideration of available tools which could be used to maintain or improve FRMS performance prior to implementing changes; and

(c) provide for the continuous improvement of the FRMS. This shall include—

(i) the elimination and/or modification of risk controls that have had unintended consequences or that are no longer

(ii) needed due to changes in the operational or organisation al environment;

(iii) routine evaluations of facilities, equipment, documentation and procedures; and

(iv) the determination of the need to introduce new processes and procedures to mitigate emerging fatigue-related risks.

4. FRMS PROMOTION PROCESSES

FRMS promotion processes support the ongoing development of the FRMS, the continuous improvement of its overall performance, and attainment of optimum safety levels. The following shall be established and implemented by the operator as part of its FRMS—

(a) training programmes to ensure competency commensurate with the roles and responsibilities of management, flight and cabin crew, and all other involved personnel under the planned FRMS; and

(b) an effective FRMS communication plan that—

(i) explains FRMS policies, procedures and responsibilities to all relevant stakeholders; and

(ii) describes communication channels used to gather and disseminate FRMS related information.

SCHEDULE 3

Regulation 70 (6), (8), (9) and (10)

OFFENCES AND PENALTIES

REG.	TITLE	PART
4	Compliance with laws, regulations and procedures	B
5	Knowledge or suspicion of crew fatigue	A
6	Fitness for duty	A
10	Record keeping	A
11	Maximum number of flight time hours and duty aloft	A
12	Exceeding flight time in unforeseen circumstances	A
13	Duty periods	B
14	Cumulative duty hours	A
15	Flight time and duty period	B
16	Post-Flight Duties	A
17	Positioning	A
18	Day Duties	A
19	Night Duties	A
20	Flight Duty Period Extensions – with or without in-flight rest	A
21	Split-duty assignments	A
22	Split-Duty	A
23	Augmented flight crew assignments	A
24	Mixed flying types of operation	A
25	On-call duty	A
26	Time zone difference	A
27	Fatigue Management in Air Traffic Control Service	B
28	Maximum working hours for air traffic controllers	B
29	Minimum Rest Periods for Air Traffic Controllers	A
30	Unscheduled duties for Air Traffic Controllers	A
31	Variations to Air Traffic Controllers Scheduling Limits	A
32	Fatigue Risk Management System	B
33	Rest period	B
34	Duty and rest periods for flight Operations officers	A

35	Minimum rest period each seven or ten consecutive day period	B
36	Records of flight time and duty period	B
37	Duties of operators to Prevent excessive fatigue of crew members	B
38	Minimum rest period for flight and cabin crew	B
39	Approval of fatigue risk management system (Fatigue Risk Management System (FRMS)	B
40	FATIGUE RISK MANAGEMENT SYSTEM (FRMS) implementation	B
41	Integration of FATIGUE RISK MANAGEMENT SYSTEM (FRMS) and SMS	A
42	FATIGUE RISK MANAGEMENT SYSTEM (FRMS) Manual	A
43	Identification of Hazards	A
44	Risk Assessment	A
45	Risk Mitigation	A

46	FRM Safety Assurance Processes	A
47	FRM Promotion Process	A
55	Reports of violation	A

Cross References

Criminal Procedure Code Act, Cap. 116

Civil Aviation (Safety Management) Regulations, 2022 S.I. No. 91 of 2022.

GEN. EDWARD KATUMBA-WAMALA (MP)
Minister of Works and Transport