



**TOPIC: Flight & Duty Time Limitations (FTL)
Fatigue Risk Management (FRM)**

BACKGROUND:

- EASA NPA 2009-02 provides new regulations for the implementation of Fatigue Risk Management Schemes (FRMS)
- FAA starting a new initiative on pilot fatigue, and update, where appropriate, its regulations regarding flight and duty times.
- Several NAA's prepare introduction of FRM to supplement basic FTL, partially in combination with cooperative trials to evaluate proposals to ensure the most practical way of implementing FRM (e.g. Transport Canada)
- Some airlines have completed various evaluations and trails to introduce FRM into scheduling (e.g. Qantas)
- ICAO is inviting to participate in a new Task Force on FRMS with the the aim to develop globally accepted standards for the implementation of FRMS

IATA POSITION:

1. Current FTL limitations are acknowledged and proven (e.g. for European Operators in EU-OPS Subpart Q).
2. All regulators shall ensure alignment with ICAO in the way Fatigue Risk Management is regulated (refer also to item 8.)
3. The implementation of Fatigue Risk Management Systems (FRMS) shall be realised only as an integral part of the operators Safety Management System (SMS)
4. Such a Fatigue Risk Management System is deemed as a tool to provide additional flexibility for specific operations and shall therefore only be mandatory, when a flight scheme is proposed to operate beyond the approved FTL limitations.
5. It will remain at the individual operators' discretion to implement FRMS for his entire operation.



6. FRMS elements should be developed jointly between the regulator and the operator experts in order to ensure this development is based on commercial aviation industry knowledge, proven science and experience in matters of fatigue management
7. The final rulemaking should provide the option for an individual Authority and Operator to develop specific FRM schemes based on the assessed and proven ability of that operator and adapted to its specific needs.
8. The ICAO material currently in completion shall provide the necessary guidance for validation of the collected data and the degree of sophistication of the proposed scheme.

PROPOSED ACTIONS:

- EASA to put further FTL rulemaking on hold until a common solution can be developed.
- EASA, IATA and AEA to review the current industry activities in coordination with ICAO, FAA and other NAA's (e.g. Transport Canada) through participating in the ICAO Industry Task Force
 - Evaluate the possibility and the potential to introduce harmonized FRM principles after completion of comprehensive trials with global coordination
 - Complete assessment of FRMS as a complement to existing FTL limitations in order to provide additional flexibility for specific operations that would go beyond approved FTL limitations.
- EASA, IATA and AEA to ensure that the developed solution is in alignment with EU OPS 'Subpart Q'



CURRENT STATUS - INTERNATIONAL:

- ICAO finalised the revision to Annex 6 for FTL as developed with industry stakeholders (general guidance without specific limits)
- ICAO OPS Panel has completed a working paper preparing ICAO guidelines material for the introduction of FRM
- ICAO has proposed to establish a new Task Force on FRM with the following objectives
 - Expand on provisions provided by the former OPS Pnl subgroup to develop specific guidance for implementation
 - Ensure involvement and contribution from all key industry stakeholders (e.g. IATA, IFALPA, regulators, etc.)
 - Focus on practical requirements for operators by acknowledging the wide diversity in all 190 ICAO states
 - State letter for nomination of members will be distributed July/August 2009, completion of material is envisaged for November 2010 ANC
- FAA has been tasked by the US Government to conduct a study on pilot fatigue, and update, where appropriate, its regulations regarding flight and duty times.
- FAA must also initiate a process to carry out the recommendations of the Civil Aerospace Medical Institute regarding flight attendant fatigue. (H.R. 915 – FAA REAUTHORIZATION ACT OF 2009)

CURRENT STATUS - EASA:

- FTL (Subpart Q) was included in the EU OPS Regulation (2006)
- EU OPS 'Subpart Q' became applicable as of 16Jul'08
- Moebius report published in Jan'09 resulted in strong media interest – bad press on aviation safety.
- Report was supported by unions
- Indications from EASA that report will be basis for a full Regulatory Impact Assessment to determine further rulemaking activities.
- EASA issued NPA 2009-02 'OPS' (January 30, 2009)
 - Report results not included yet
 - Includes provisions for FRM
 - Proposed rules appear over-prescriptive
 - Consultation deadline – 31 July '09
- EASA has introduced unacceptable changes to EU OPS provisions