Brunei Department of Civil Aviation

Brunei Darussalam

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Brunei Aviation Requirements

BAR 6 Part ORO Organisational Requirements for Air Operators

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Control of this Document

DC.1 Introduction

DC.1.1 Pursuant to Civil Aviation Act and the Civil Aviation Regulations and their subsequent amendments, the following requirements are hereby established for compliance by all persons concerned, the Director of Civil Aviation is empowered to adopt and amend Brunei Aviation Requirements. In accordance herewith, the following requirement is hereby established for compliance by all persons concerned. This requirement shall be known as BAR 6 Part ORO Organisational Requirements for Air Operators and any reference to this title shall mean referring to the requirements to be met for civil aviation in Brunei Darussalam

DC.2 Authority for this Requirement

DC.2.1 This BAR 6 Part ORO Organisational Requirements for Air Operators is issued on the authority of the Director of Civil Aviation.

DC.3 Applicability

DC.3.1 This BAR 6 Part ORO Organisational Requirements for Air Operators is applicable to the aviation industry of Brunei Darussalam.

DC.4 Scope

DC.4.1 BAR 6 Operation of Aircraft contains the operation of aircraft requirements of Brunei Darussalam, and shows compliance with ICAO Annex 6. The requirements in BAR 6 are separated into the following parts with cross references between parts where applicable.

Part Air Operations Cover Requirement

Part ARO Authority Requirements for Air Operations

Part ORO Organisation Requirements for Air Operations

Part DEF Definitions

Part CAT Commercial Air Transport

Part SPA Specific Approvals

Part SPO Special Operations

Part NCC Non-Commercial with Complex Motor-Powered Aircraft

Part NCO Non-Commercial other than Complex Motor-Powered Aircraft

DC. 5 Definitions

DC.5.1 Terms not defined shall have the meaning given to them in the relevant legal instruments or international legal instruments in which they appear, especially as they appear in the Convention and its Annexes

Amendment

Amendment Number	Date of Issue	Remarks
V01	1st February 2017	Initial Issue
V02	1st February 2018	First Amendment
V03	1st May 2018	Second Amendment
V04	1st May 2019	Third Amendment
V05	1st December 2019	Fourth Amendment
V06	1st December 2022	Fifth Amendment
V07	1st November 2025	Sixth Amendment

Part ORO - Organisation Requirements for Air Operations

ORO.GEN.005 Scope

This part establishes the requirements to be met by an air operator that conducts:

(a) commercial air transport (CAT) operations;

(b) commercial specialised operations;

(c) non-commercial operations with complex motor-powered aircraft;

(d) non-commercial specialised operations with complex motor-powered aircraft;

(e) innovative air mobility (IAM) operations.

Subpart GEN General Requirements

Section 1 - General

ORO.GEN.105 Competent Authority

For the purpose of this Subpart, the Brunei DCA shall exercise oversight over operators subject to a certification or declaration obligation or specialised operation authorisation having their principal place of business in Brunei Darussalam .

ORO.GEN.110 Operator responsibilities

(a) The operator is responsible for the operation of the aircraft in accordance with Part Air Operations Cover Regulation Essential Requirements, as applicable, the relevant requirements of this Subpart and its air operator certificate (AOC), or specialised operation authorisation (SPO authorisation) or declaration.

(b) Every flight shall be conducted in accordance with the provisions of the operations manual.

(c) The operator shall establish and maintain a system for exercising operational control over any flight operated under the terms of its certificate, authorisation or declaration.

(d) The operator shall ensure that its aircraft are equipped, and its crews are qualified as required for the area and type of operation.

(e) The operator shall ensure that all personnel assigned to, or directly involved in, ground and flight operations are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

(f) The operator shall establish procedures and instructions for the safe operation of each aircraft type, containing ground staff and crew member duties and responsibilities for all types of operation on the ground and in flight. These procedures shall not require crew members to perform any activities during critical phases of flight other than those required for the safe operation of the aircraft. Procedures and instructions for a sterile flight crew compartment shall also be included.

(g) The operator shall ensure that all personnel are made aware that they shall comply with the laws, regulations, requirements and procedures of those States in which operations are conducted and that are pertinent to the performance of their duties.

(h) The operator shall establish a checklist for each aircraft type to be used by crew members in all phases of flight under normal, abnormal and emergency conditions in order to ensure that the operating procedures in the operations manual are followed. The design and the usage of checklists shall observe human factors principles and take into account the latest relevant documentation from the design approval holder.

(i) The operator shall specify flight planning procedures to provide for the safe conduct of the flight based on consider-actions of aircraft performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes or operating sites concerned. These procedures shall be included in the operations manual.

(j) The operator shall establish and maintain dangerous goods training programmes for personnel as required by the technical instructions. Such training programmes shall be commensurate with the responsibilities of personnel. Training programmes of operators performing CAT, whether they transport dangerous goods or not, and of operators conducting operations other than CAT referred to in points (b), (c) and (d) of point ORO.GEN.005 that transport dangerous goods shall be subject to review and approval by the Brunei DCA.

(k) Notwithstanding point (j), operators conducting commercial operations with either of the following aircraft shall ensure that the flight crew has received an appropriate dangerous goods training or briefing, to enable them to recognise undeclared dangerous goods brought on board by passengers or as cargo:

(1) a single-engined propeller-driven aeroplane having an MCTOM of 5 700 kg or less and an MOPSC of 5 or less, operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day;

(2) An other-than-complex motor-powered helicopter, single-engined, with an MOPSC of 5 or less, operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day.

ORO.GEN.115 Application for an air operator certificate

(a) The application for an air operator certificate or an amendment to an existing certificate shall be made in a form and manner established by the Brunei DCA, taking into account the applicable requirements.

(b) Applicants for an initial certificate shall provide the Brunei DCA with documentation demonstrating how they will comply with the requirements. Such documentation shall include a procedure describing how changes not requiring prior approval will be managed and notified to the Brunei DCA.

ORO.GEN.120 Means of compliance

(a) Alternative means of compliance to those adopted by the Brunei DCA may be used by an operator to establish compliance with the requirements.

(b) When an operator subject to certification wishes to use an alternative means of compliance to the acceptable means of compliance (AMC) adopted by the Brunei DCA to establish compliance with the requirements, it shall, prior to implementing it, provide the Brunei DCA with a full description of the alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the regulations and requirements are met.

(c) The operator may implement these alternative means of compliance subject to prior approval by the Brunei DCA and upon receipt of the notification as prescribed in ARO.GEN.120 (d).

(d) An operator required to declare its activity shall notify the Brunei DCA the list of alternative means of compliance it uses to establish compliance with the Requirements.

(e) When an operator subject to SPO authorisation wishes to use alternative means of compliance, it shall comply with (b) whenever such alternative means of compliance affects the standard operating procedures that are part of the authorisation and with (c) for the declared part of its organisation and operation.

ORO.GEN.125 Terms of approval and privileges of an operator

A certified operator shall comply with the scope and privileges defined in the operations specifications attached to the operator's certificate.

ORO.GEN.130 Changes related to an AOC holder

(a) Any change affecting:

(1) the scope of the certificate or the operations specifications of an operator; or

(2) any of the elements of the operator's management system as required in ORO.GEN.200(a)(1) and (a)(2),

shall require prior approval by the Brunei DCA.

(b) For any changes requiring prior approval in accordance with the Requirements, the operator shall apply for and obtain an approval issued by the Brunei DCA. The application shall be submitted before any such change takes place, in order to enable the Brunei DCA to determine continued compliance with the Requirements and to amend, if necessary, the operator certificate and related terms of approval attached to it.

The operator shall provide the Brunei DCA with any relevant documentation.

The change shall only be implemented upon receipt of formal approval by the Brunei DCA in accordance with ARO.GEN.330.

The operator shall operate under the conditions prescribed by the Brunei DCA during such changes, as applicable.

(c) All changes not requiring prior approval shall be managed and notified to the Brunei DCA as defined in the procedure approved by the Brunei DCA in accordance with ARO.GEN.310(c).

ORO.GEN.135 Continued validity of an AOC

(a) The operator's certificate shall remain valid subject to all of the following:

(1) the operator remaining in compliance with the relevant requirements of the Requirements, and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point ORO.GEN.150;

(2) the Brunei DCA being granted access to the operator as defined in ORO.GEN.140 to determine continued compliance with the relevant requirements; and

(3) the certificate not being surrendered or revoked.

(b) Upon revocation or surrender the certificate shall be returned to the Brunei DCA without delay.

ORO.GEN.140 Access

(a) For the purpose of determining compliance with the relevant requirements, the operator shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject

to certification, SPO authorisation or declaration, whether it is contracted or not, to any person authorised by one of the following authorities:

(1) the Brunei DCA;

(2) the authority acting under the provisions of ARO.GEN.300(d), ARO.GEN.300(e) or ARO.RAMP.

(b) Access to the aircraft referred to in point (a) shall:

(a) for CAT operations with aeroplanes and helicopters, include the possibility to enter and remain in the aircraft during flight operations unless otherwise decided by the commander for the flight crew compartment in accordance with point CAT.GEN.MPA.135 in the interest of safety;

(b) for IAM operations with VCA, include the possibility to enter and remain in the aircraft during flight operations unless otherwise decided by the pilot-in-command in accordance with point IAM.GEN.MVCA.135 in the interest of safety.

ORO.GEN.150 Findings

After receipt of notification of findings, the operator shall:

(a) identify the root cause of the non-compliance.

(b) define a corrective action plan; and

(c) demonstrate corrective action implementation to the satisfaction of the Brunei DCA within a period agreed as defined in ARO.GEN.350(d).

ORO.GEN.155 Immediate reaction to a safety problem

The operator shall implement:

(a) any safety measures mandated by the Brunei DCA in accordance with ARO.GEN.135(c); and

(b) any relevant mandatory safety information issued by the Brunei DCA, including airworthiness directives.

ORO.GEN.160 Occurrence reporting

(a) The operator shall report to the Brunei DCA, and to any other organisation required by the State of the operator to be informed, any accident, serious incident and occurrence as defined in Civil Aviation Regulations.

(b) Without prejudice to point (a) the operator shall report to the Brunei DCA and to the organisation responsible for the design of the aircraft any incident, malfunction, technical defect, exceeding of technical limitations or occurrence that would highlight inaccurate, incomplete or ambiguous information contained in the operational suitability data established in accordance with Part 21 or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.

(c) The reports referred in paragraphs (a) and (b) shall be made in a form and manner established by the Brunei DCA and shall contain all pertinent information about the condition known to the operator.

(d) Reports shall be made as soon as practicable, but in any case, within 72 hours of the operator identifying the condition to which the report relates, unless exceptional circumstances prevent this.

(e) Where relevant, the operator shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified. This report shall be produced in a form and manner established by the Brunei DCA.

Section 2 - Management

ORO.GEN.200 Management system

(a) The operator shall establish, implement and maintain a management system that includes:

(1) clearly defined lines of responsibility and accountability throughout the operator, including a direct safety accountability of the accountable manager.

(2) a description of the overall philosophies and principles of the operator with regard to safety, referred to as the safety policy.

(3) the identification of aviation safety hazards entailed by the activities of the operator, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness.

(4) maintaining personnel trained and competent to perform their tasks.

(5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation.

(6) a function to monitor compliance of the operator with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and

(7) any additional requirements that are prescribed in the relevant Subparts of this Part or other applicable Parts.

(b) The management system shall correspond to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

ORO.GEN.205 Contracted activities

(a) When contracting or purchasing any services or products as a part of its activities, the operator shall ensure all of the following:

(1) that the contracted or purchased services or products comply with the applicable requirements.

(2) that any aviation safety hazards associated with contracted or purchased services or products are considered by the operator's management system.

(b) When the certified operator or the SPO authorisation holder contracts any part of its activity to an organisation that is not itself certified or authorised in accordance with this Subpart to carry out such activity, the contracted organisation shall work under the approval of the operator. The contracting organisation shall ensure that the Brunei DCA is given access to the contracted organisation, to determine continued compliance with the applicable requirements.

ORO.GEN.210 Personnel requirements

(a) The operator shall appoint an accountable manager, who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements. The accountable manager shall be responsible for establishing and maintaining an effective management system.

(b) A person or group of persons shall be nominated by the operator, with the responsibility of ensuring that the operator remains in compliance with the applicable requirements. Such person(s) shall be ultimately responsible to the accountable manager.

(c) The operator shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.

(d) The operator shall maintain appropriate experience, qualification and training records to show compliance with point (c).

(e) The operator shall ensure that all personnel are aware of the rules and procedures relevant to the exercise of their duties.

ORO.GEN.215 Facility requirements

The operator shall have facilities allowing the performance and management of all planned tasks and activities in accordance with the applicable requirements.

ORO.GEN.220 Record-keeping

(a) The operator shall establish a system of record-keeping that allows adequate storage and reliable traceability of all activities developed, covering in particular all the elements indicated in ORO.GEN.200.

(b) The format of the records shall be specified in the operator's procedures.

(c) Records shall be stored in a manner that ensures protection from damage, alteration and theft.

Section 3 – Additional Organisational Requirements

ORO.GEN.GEN.310 Use of aeroplanes or helicopters listed on an AOC for non-commercial operations and specialised operations

(a) An aeroplane or a helicopter listed on an operator's AOC may remain on the AOC if it is operated in any of the following situations:
  (1) by the AOC holder itself, for specialised operations in accordance with Part-SPO;
  (2) by other operators, for non-commercial operations with motor-powered aircraft or for specialised operations conducted in accordance with Part-NCC, Part-NCO or Part-SPO, provided that the aircraft is used for a continuous period not exceeding 30 days.

(b) When an aeroplane or a helicopter is used in accordance with point (a)(2), the AOC holder that provides the aeroplane or helicopter and the operator that uses the aeroplane or helicopter shall establish a procedure:
  (1) clearly identifying which operator is responsible for the operational control of each flight, and to describe how the operational control is transferred between them;
  (2) describing the handover procedure of the aeroplane or helicopter upon its return to the AOC holder.

  That procedure shall be included in the operations manual of each operator or in a contract concluded between the AOC holder and the operator that uses the aeroplane or the helicopter in accordance with point (a)(2). The AOC holder shall establish a template for such a contract. Point ORO.GEN.220 shall apply to those contracts.

  The AOC holder and the operator that uses the aeroplane or the helicopter in accordance with point (a)(2) shall ensure that the procedure is communicated to the relevant personnel.

(c) The AOC holder shall submit to the Brunei DCA the procedure referred to in point (b) for prior approval. The AOC holder shall agree with the competent authority on the means and on the frequency of providing it with information about transfers of operational control in accordance with point ORO.GEN.130(c).

(d) The continuing airworthiness of the aeroplane or the helicopter used in accordance with point (a) shall be managed by the organisation responsible for the continuing airworthiness of the aeroplane or helicopter included in the AOC.

(e) The AOC holder that provides the aeroplane or the helicopter in accordance with point (a) shall:
  (1) indicate in its operations manual the registration marks of the aeroplane or helicopter provided, and the type of operations conducted with that aeroplane or helicopter;
  (2) remain informed at all times and keep record of each operator that holds the operational control of the aeroplane or helicopter at any given moment until the aeroplane or helicopter is returned to the AOC holder;
  (3) ensure that the hazard identification, risk assessment and mitigation measures it has put in place address all the operations conducted with that aeroplane or helicopter.

(f) For operations conducted under Part-NCC and Part-SPO, the operator that uses the aeroplane or the helicopter in accordance with point (a) shall ensure all the following:
  (1) that every flight conducted under its operational control is recorded in the aeroplane's or helicopter's technical log system;
  (2) that no changes are made to the aeroplane's or helicopter's systems or its configuration;
  (3) that any defect or technical malfunction occurring while the aeroplane or helicopter is under its operational control is reported to the organisation referred to in point (d);
  (4) that the AOC holder receives a copy of any occurrence report related to the flights conducted with the aeroplane or helicopter.

Subpart AOC – Air Operator Certification

ORO.AOC.100 Application for an air operator certificate

(a) Prior to commencing commercial air transport operations with aeroplanes or helicopters or IAM operations with VCA, the operator shall apply for and obtain an air operator certificate (AOC) issued by the Brunei DCA.

(b) The operator shall provide the following information to the Brunei DCA:

(1) the official name and business name, address, and mailing address of the applicant.

(2) a description of the proposed operation, including the type(s), and number of aircraft to be operated.

(3) a description of the management system, including organisational structure.

(4) the name of the accountable manager.

(5) the names of the nominated persons required by ORO.AOC.135(a) together with their qualifications and experience; and

(6) a copy of the operations manual required by ORO.MLR.100.

(7) a statement that all the documentation sent to the Brunei DCA have been verified by the applicant and found in compliance with the applicable requirements.

(c) Applicants shall demonstrate to the Brunei DCA that:

(1) they comply with all the requirements of Civil Aviation Regulations, Part-ORO, Part-CAT and Part-SPA to this Requirement and Part 26;

(2) all aircraft operated have a certificate of airworthiness (CofA) in accordance with Part 21 or are dry-leased in accordance with ORO.AOC.110(d); and

(3) its organisation and management are suitable and properly matched to the scale and scope of the operation.

ORO.AOC.105 Operations specifications and privileges of an AOC holder

The privileges of the operator, including those granted in accordance with Part-SPA, shall be specified in the operations specifications of the certificate.

ORO.AOC.110 Leasing agreement

Any lease-in

(a) Any lease agreement concerning aircraft used by an operator certified in accordance with this Subpart shall be subject to prior approval by the Brunei DCA.

(b) The operator certified in accordance with this Subpart shall not lease-in aircraft included in the list of operators subject to operational restrictions, registered in a State of which all operators under its oversight are subject to an operating ban or from an operator that is subject to an operating ban.

Wet lease-in

(c) The applicant for the approval of the wet lease-in of an aircraft of a third country operator shall demonstrate to the Brunei DCA all of the following:

(1) That the third country operator holds a valid AOC issued in accordance with ICAO Annex 6 to the Convention on International Civil Aviation;

(2) the safety standards of the third country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by the Continued Airworthiness Requirements and this Requirement; and

(3) that the aircraft has a standard CofA issued in accordance with ICAO Annex 8 to the Convention on International Civil Aviation.

Dry lease-in

(d) An applicant for the approval of the dry lease-in of an aircraft registered in a third country shall demonstrate to the Brunei DCA that:

(1) an operational need has been identified that cannot be satisfied through leasing an aircraft registered in Brunei Darussalam;

(2) the duration of the dry lease-in does not exceed seven months in any 12 consecutive month period;

(3) compliance with the applicable requirements of the Continued Airworthiness Requirements is ensured; and

(4) the aircraft is equipped in accordance with the requirements for Air Operations.

Dry lease-out

(e) The operator certified in accordance with this Subpart intending to dry lease-out one of its aircraft shall apply for prior approval by the Brunei DCA. The application shall be accompanied by copies of the intended lease agreement or description of the lease provisions, except financial arrangements, and all other relevant documentation.

Wet lease-out

(f) Prior to the wet lease-out of an aircraft, the operator certified in accordance with this Subpart shall notify the Brunei DCA.

ORO.AOC.115 Code-share agreements

(a) Without prejudice to applicable safety requirements for third country operators and aircraft, an operator certified in accordance with this Part shall enter into a code-share agreement with a third country operator only after:

(1) having verified that the third country operator complies with the applicable ICAO standards; and

(2) having provided the Brunei DCA with documented information enabling such authority to comply with ARO.OPS.105.

(b) When implementing the code-share agreement the operator shall monitor and regularly assess the ongoing compliance of the third country operator with the applicable ICAO standards.

(c) The operator certified in accordance with this Part shall not sell and issue tickets for a flight operated by a third country operator when the third country operator is subject to an operating ban or is failing to maintain compliance with the applicable ICAO standards.

ORO.AOC.120 Approvals to provide cabin crew training and to issue cabin crew attestations

(a) When intending to provide the training course required in Part-CC, the operator shall apply for and obtain an approval issued by the Brunei DCA. For this purpose, the applicant shall demonstrate compliance with the requirements for the conduct and content of training course established in CC.TRA.215 and CC.TRA.220 of that Part and shall provide the Brunei DCA with:

(1) the date of intended commencement of activity;

(2) the personal details and qualifications of the instructors as relevant to the training elements to be covered;

(3) the name(s) and address(es) of the training site(s) at which the training is to be conducted;

(4) a description of the facilities, training methods, manuals and representative devices to be used; and

(5) the syllabi and associated programmes for the training course.

(b) If Brunei Darussalam decides, in accordance with ARA.CC.200 of Part-ARA that operators may be approved to issue cabin crew attestations, the applicant shall, in addition to (a):

(1) demonstrate to the Brunei DCA that:

(i) the organisation has the capability and accountability to perform this task;

(ii) the personnel conducting examinations are appropriately qualified and free from conflict of interest; and

(2) provide the procedures and the specified conditions for:

(i) conducting the examination required by CC.TRA.220;

(ii) issuing cabin crew attestations; and

(iii) supplying the Brunei DCA with all relevant information and documentation related to the attestations it will issue and their holders, for the purpose of record-keeping, oversight and enforcement actions by that authority.

(c) The approvals referred to in (a) and (b) shall be specified in the operations specifications.

ORO.AOC.125 Non-commercial operations of aircraft listed in the operations specifications by the holder of an AOC

(a) The AOC holder may conduct non-commercial operations in accordance with Part-NCC or Part-NCO with aircraft listed in the operations specifications of its AOC or in its operations manual, provided that the AOC holder describes such operations in detail in the operations manual, including the following:

(1) an identification of the applicable requirements:

(2) a description of any differences between operating procedures used when conducting CAT operations and non-commercial operations.

(3) means of ensuring that all personnel involved in the operations are fully familiar with the associated procedures

(b) An AOC holder shall comply with:

(1) Part-SPO when conducting maintenance check flights with complex motor-powered aircraft;

(2) Part-NCO when conducting maintenance check flights with other than complex motor-powered aircraft.

(c) An AOC holder conducting operations referred to in points (a) and (b) shall not be required to submit a declaration in accordance with this Subpart.

(d) The AOC holder shall specify the type of flight, as listed in its operations manual, in the flight-related documents (operational flight plan, loadsheet and other equivalent documents).

ORO.AOC.130 Flight data monitoring — aeroplanes

(a) The operator shall establish and maintain a flight data monitoring programme, which shall be integrated in its management system, for aeroplanes with a maximum certificated take-off mass of more than 27 000 kg.

(b) The flight data monitoring programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

ORO.AOC.135 Personnel requirements

(a) In accordance with ORO.GEN.210(b), the operator shall nominate persons responsible for the management and supervision of the following areas:

(1) flight operations;

(2) crew training;

(3) ground operations;

(4) continuing airworthiness or for the continuing airworthiness management contract in accordance with the Requirements.

(b) Adequacy and competency of personnel

(1) The operator shall employ sufficient personnel for the planned ground and flight operations.

(2) All personnel assigned to, or directly involved in, ground and flight operations shall:

(i) be properly trained;

(ii) demonstrate their capabilities in the performance of their assigned duties; and

(iii) be aware of their responsibilities and the relationship of their duties to the operation as a whole.

(c) Supervision of personnel

(1) The operator shall appoint a sufficient number of personnel supervisors, taking into account the structure of the operator’s organisation and the number of personnel employed.

(2) The duties and responsibilities of these supervisors shall be defined, and any other necessary arrangements shall be made to ensure that they can discharge their supervisory responsibilities.

(3) The supervision of crew members and personnel involved in the operation shall be exercised by individuals with adequate experience and the skills to ensure the attainment of the standards specified in the operations manual.

ORO.AOC.140 Facility requirements

In accordance with ORO.GEN.215, the operator shall:

(a) make use of appropriate ground handling facilities to ensure the safe handling of its flights;

(b) arrange operational support facilities at the main operating base, appropriate for the area and type of operation; and

(c) ensure that the available working space at each operating base is sufficient for personnel whose actions may affect the safety of flight operations. Consideration shall be given to the needs of ground crew, personnel concerned with operational control, the storage and display of essential records and flight planning by crews.

ORO.AOC.150 Documentation requirements

(a) The operator shall make arrangements for the production of manuals and any other documentation required and associated amendments.

(b) The operator shall be capable of distributing operational instructions and other information without delay.

Subpart DEC - Declaration

ORO.DEC.100 Operations manual — general

The operator of complex motor-powered aircraft engaged in non-commercial operations or non-commercial specialised operations, and the commercial specialised operator shall:

(a) provide the Brunei DCA with all relevant information prior to commencing operations, using the form contained in Appendix 1 to this Part;

(b) notify to the Brunei DCA a list of the alternative means of compliance used;

(c) maintain compliance with the applicable requirements and with the information given in the declaration;

(d) notify the Brunei DCA without delay of any changes to its declaration or the means of compliance it uses through submission of an amended declaration using the form contained in Appendix 1 to this Part; and

(e) notify the Brunei DCA when it ceases operation.

Subpart SPO – Commercial Specialised Operations

ORO.SPO.100 Common requirements for commercial specialised operators

(a) A commercial specialised operator shall in addition to ORO.DEC.100 also comply with ORO.AOC.135, ORO.AOC.140 and ORO.AOC.150.

(b) Aircraft shall have a certificate of airworthiness (CofA) in accordance with Part 21 or shall be leased-in in accordance with (c).

(c) A commercial specialised operator shall obtain prior approval of the Brunei DCA and comply with the following conditions:

(1) Wet leasing-in an aircraft of a third country operator:

(i) The safety standards of a third country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by the Continued Airworthiness Requirements and this Requirement;

(ii) The aircraft of a third country operator has a standard CofA issued in accordance with ICAO Annex 8 to the Convention on International Civil Aviation;

(iii) The duration of the wet lease-in does not exceed seven months in any 12 consecutive month period; or

(2) For dry leasing-in an aircraft registered in a third country:

(i) That an operational need that cannot be satisfied through leasing an aircraft registered in Brunei Darussalam has been identified;

(ii) That the duration of the dry lease-in does not exceed seven months in any 12 consecutive month period;

(iii) that the safety standards of the third-country aircraft with the applicable requirements of Continued Airworthiness Requirements is ensured;

(iv) that the aircraft is equipped in accordance with Part SPO.

ORO.SPO.110 Authorisation of high risk commercial specialised operations

(a) A commercial specialised operator shall apply for and obtain an authorisation issued by the Brunei DCA of the operator prior to commencing a high risk commercial specialised operation:

(1) that is carried out over an area where the safety of third parties on the ground is likely to be endangered in the event of an emergency, or

(2) that, as determined by the Brunei DCA of the place where the operation is conducted, due to its specific nature and the local environment in which it is conducted, poses a high risk, in particular to third parties on the ground.

(b) The operator shall provide the following information to the Brunei DCA:

(1) the official name and business name, address, and mailing address of the applicant;

(2) a description of the management system, including organisational structure;

(3) a description of the proposed operation, including the type(s), and number of aircraft to be operated;

(4) the risk assessment documentation and related standard operating procedures, required by SPO.OP.230;

(5) a statement that all the documentation sent to the Brunei DCA has been verified by the operator and found in compliance with the applicable requirements.

(c) The application for an authorisation or its amendment shall be made in a form and manner established by the Brunei DCA, taking into account the applicable requirements of the Civil Aviation Regulations.

ORO.SPO.115 Changes

(a) Any change affecting the scope of the authorisation or the authorised operations shall require prior approval of the Brunei DCA. Any change not covered by the initial risk assessment, shall require the submission of an amended risk assessment and SOP to the Brunei DCA.

(b) The application for approval of a change shall be submitted before any such change takes place, in order to enable the Brunei DCA to determine continued compliance with the Civil Aviation Regulations and its BARs and to amend, if necessary, the authorisation. The operator shall provide the Brunei DCA with any relevant documentation.

(c) The change shall only be implemented upon receipt of formal approval by the Brunei DCA in accordance with ARO.OPS.150.

(d) The operator shall operate under the conditions prescribed by the Brunei DCA during such changes, as applicable.

ORO.SPO.120 Continued validity

(a) An operator holding a specialised operation authorisation shall comply with the scope and privileges defined in the authorisation.

(b) The operator's authorisation shall remain valid subject to:

(1) the operator remaining in compliance with the relevant requirements of the Civil Aviation Regulations and its BARs, taking into account the provisions related to the handling of findings as specified under ORO.GEN.150;

(2) the Brunei DCA being granted access to the operator as defined in ORO.GEN.140 to determine continued compliance with the relevant requirements of the Civil Aviation Regulations and its BARs; and

(3) the authorisation not being surrendered or revoked.

(c) Upon revocation or surrender the authorisation shall be returned to the Brunei DCA without delay.

Subpart MLR - Manuals Logs and Records

ORO.MLR.100 Operations manual — general

(a) The operator shall establish an operations manual (OM) as specified under Part Air Operations Cover Regulation Essential Requirements.

(b) The content of the OM shall reflect the requirements set out in this Part, Part-CAT, Part-SPA, Part-NCC, Part-SPO and Part IAM as applicable, and shall not contravene the conditions contained in the operations specifications to the air operator certificate (AOC), the SPO authorisation or the declaration and the list of specific approvals, as applicable.

(c) The OM may be issued in separate parts.

(d) All operations personnel shall have easy access to the portions of the OM that are relevant to their duties.

(e) The OM shall be kept up to date. All personnel shall be made aware of the changes that are relevant to their duties.

(f) Each crew member shall be provided with a personal copy of the relevant sections of the OM pertaining to their duties. Each holder of an OM, or appropriate parts of it, shall be responsible for keeping their copy up to date with the amendments or revisions supplied by the operator

(g) For AOC holders:

(1) for amendments required to be notified in accordance with ORO.GEN.115(b) and ORO.GEN.130(c), the operator shall supply the Brunei DCA with intended amendments in advance of the effective date; and

(2) for amendments to procedures associated with prior approval items in accordance with ORO.GEN.130, approval shall be obtained before the amendment becomes effective.

(g1) For SPO authorisation holders, any amendment associated with the authorised standard operating procedures, prior approval shall be obtained before the amendment becomes effective.

(h) Notwithstanding (g) and (g1), when immediate amendments or revisions are required in the interest of safety, they may be published and applied immediately, provided that any approval required has been applied for.

(i) The operator shall incorporate all amendments and revisions required by the Brunei DCA.

(j) The operator shall ensure that information taken from approved documents, and any amendment thereof, is correctly reflected in the OM. This does not prevent the operator from publishing more conservative data and procedures in the OM.

(k) The operator shall ensure that all personnel are able to understand the language in which those parts of the OM which pertain to their duties and responsibilities are written. The content of the OM shall be presented in a form that can be used without difficulty and observes human factors principles.

ORO.MLR.101 Operations manual — structure for CAT and IAM operations

Except for operations with single-engined propeller-driven aeroplanes with an MOPSC of 5 or less or single-engined non-complex helicopters with an MOPSC of 5 or less, taking off and landing at the same aerodrome or operating site, under VFR by day, the main structure of the OM shall be as follows:

(a) Part A: General/Basic, comprising all non-type-related operational policies, instructions and procedures;

(b) Part B: Aircraft operating matters, comprising all type-related instructions and procedures, taking into account differences between types/classes, variants or individual aircraft used by the operator;

(c) Part C: CAT operations with aeroplanes and helicopters, comprising route/role/area and aerodrome / operating site instructions and information or, IAM operations with VCA, comprising route/role/area and vertiport / diversion location / operating site instructions and information;

(d) Part D: Training, comprising all training instructions for personnel required for a safe operation.

ORO.MLR.105 Minimum equipment list

(a) A minimum equipment list ("MEL") shall be established as specified in Part Air Operations Cover Regulation Essential Requirements, based on the relevant master minimum equipment list ("MMEL") as defined in the data established in accordance with Part 21. If an MMEL has not been established as part of the operational suitability data, the MEL may be based on the relevant MMEL accepted by the State of Operator or Registry as applicable.

(b) The MEL and any amendment thereto shall be approved by the Brunei DCA.

(c) The operator shall amend the MEL after any applicable change to the MMEL within the acceptable timescales.

(d) In addition to the list of items, the MEL shall contain:

(1) a preamble, including guidance and definitions for flight crews and maintenance personnel using the MEL;

(2) the revision status of the MMEL upon which the MEL is based and the revision status of the MEL;

(3) the scope, extent and purpose of the MEL.

(e) The operator shall:

(1) establish rectification intervals for each inoperative instrument, item of equipment or function listed in the MEL. The rectification interval in the MEL shall not be less restrictive than the corresponding rectification interval in the MMEL;

(2) establish an effective rectification programme;

(3) only operate the aircraft after expiry of the rectification interval specified in the MEL when:

(i) the defect has been rectified; or

(ii) the rectification interval has been extended in accordance with (f).

(f) Subject to approval of the Brunei DCA, the operator may use a procedure for the one time extension of category B, C and D rectification intervals, provided that:

(1) the extension of the rectification interval is within the scope of the MMEL for the aircraft type;

(2) the extension of the rectification interval is, as a maximum, of the same duration as the rectification interval specified in the MEL;

(3) the rectification interval extension is not used as a normal means of conducting MEL item rectification and is used only when events beyond the control of the operator have precluded rectification;

(4) a description of specific duties and responsibilities for controlling extensions is established by the operator;

(5) the Brunei DCA is notified of any extension of the applicable rectification interval; and

(6) a plan to accomplish the rectification at the earliest opportunity is established.

(g) The operator shall establish the operational and maintenance procedures referenced in the MEL taking into account the operational and maintenance procedures referenced in the MMEL. These procedures shall be part of the operator's manuals or the MEL.

(h) The operator shall amend the operational and maintenance procedures referenced in the MEL after any applicable change to the operational and maintenance procedures referenced in the MMEL.

(i) Unless otherwise specified in the MEL, the operator shall complete:

(1) the operational procedures referenced in the MEL when planning for and/or operating with the listed item inoperative; and

(2) the maintenance procedures referenced in the MEL prior to operating with the listed item inoperative.

(j) Subject to a specific case-by-case approval by the Brunei DCA, the operator may operate an aircraft with inoperative instruments, items of equipment or functions outside the constraints of the MEL but within the constraints of the MMEL, provided that:

(1) the concerned instruments, items of equipment or functions are within the scope of the MMEL as defined in point (a).

(2) the approval is not used as a normal means of conducting operations outside the constraints of the approved MEL and is used only when events beyond the control of the operator have precluded the MEL compliance;

(3) a description of specific duties and responsibilities for controlling the operation of the aircraft under such approval is established by the operator; and

(4) a plan to rectify the inoperative instruments, items of equipment or functions or to return operating the aircraft under the MEL constraints at the earliest opportunity is established.

ORO.MLR.110 Journey log

Particulars of the aircraft, its crew and each journey shall be retained for each flight, or series of flights, in the form of a journey log, or equivalent.

ORO.MLR.115 Record-keeping

(a) The following records shall be stored for at least 5 years.

(1) for CAT operators of airplanes and helicopters and IAM operators of VCA, records of the activities referred to in point ORO.GEN.200;

(2) or declared operators, a copy of the operator's declaration, details of approvals held and operations manual;

(3) for SPO authorisation holders, in addition to (a)(2), records related to the risk assessment conducted in accordance with SPO.OP.230 and related standard operating procedures.

(b) The following information used for the preparation and execution of a flight, and associated reports, shall be stored for three months:

(1) the operational flight plan, if applicable;

(2) route-specific notice(s) to airmen (NOTAM) and aeronautical information services (AIS) briefing documentation, if edited by the operator;

(3) mass and balance documentation;

(4) notification of special loads, including written information to the commander/pilot-in-command about dangerous goods, if applicable;

(5) the journey log, or equivalent; and

(6) flight report(s) for recording details of any occurrence, or any event that the commander/pilot-in-command deems necessary to report or record;

(c) Personnel records shall be stored for the periods indicated below:

Flight crew licence and cabin crew attestation	As long as the crew member is exercising the privileges of the licence or attestation for the aircraft operator
Crew member training, checking and qualifications	3 years
Records on crew member recent experience	15 months
Crew member route and aerodrome/task and area competence, as appropriate	3 years

Dangerous goods training, as appropriate	3 years
Training/qualification records of other personnel for whom a training programme is required	Last 2 training records

(d) The operator shall:

(1) maintain records of all training, checking and qualifications of each crew member, as prescribed in Part-ORO; and

(2) make such records available, on request, to the crew member concerned.

(e) The operator shall preserve the information used for the preparation and execution of a flight and personnel training records, even if the operator ceases to be the operator of that aircraft or the employer of that crew member, provided this is within the timescales prescribed in (c).

(f) If a crew member becomes a crew member for another operator, the operator shall make the crew member's records available to the new operator, provided this is within the timescales prescribed in (c).

Subpart SEC - Security

ORO.SEC.100.A Flight crew compartment security

(a) In an aeroplane which is equipped with a secure flight crew compartment door, that door shall be capable of being locked, and means shall be provided by which the cabin crew can notify the flight crew in the event of suspicious activity or security breaches in the cabin.

(b) All passenger-carrying aeroplanes that are engaged in the commercial transportation of passengers shall be equipped with an approved secure flight crew compartment door that is capable of being locked and unlocked from either pilot's station and designed to meet the applicable airworthiness requirements, where such airplanes fall within any of the following categories:

(1) aeroplanes with an MCTOM that exceeds 54 500 kg

(2) aeroplanes with an MCTOM that exceeds 45 500 kg and have an MOPSC of more than 19; or

(3) aeroplanes with an MOPSC of more than 60.

(c) In all aeroplanes which are equipped with a secure flight crew compartment door in accordance with point (b):

(1) that door shall be closed prior to engine start for take-off and shall be locked when required so by security procedures or by the pilot-in-command until engine shutdown after landing, except when deemed to be necessary for authorised persons to access or egress in compliance with national civil aviation security programmes

(2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons that request to enter and to detect suspicious behaviour or potential threat.

ORO.SEC.100.H Flight crew compartment security

If installed, the flight crew compartment door on a helicopter operated for the purpose of carrying passengers shall be capable of being locked from within the flight crew compartment in order to prevent unauthorised access.

Subpart FC - Flight Crew

ORO.FC.005 Scope

This Subpart establishes requirements to be met by the operator related to flight crew training, experience and qualification and comprises:

(a) Section 1 specifying common requirements.

(b) SECTION 2 specifying additional requirements applicable to CAT operations with aeroplanes and helicopters, with the exception of CAT operations with passengers conducted under VFR by day, starting and ending at the same aerodrome or operating site and within a local area specified by the competent authority, with:

(1) single-engined propeller-driven aeroplanes having an MCTOM of 5 700 kg or less and an MOPSC of 5 or less; or

(2) other-than-complex motor-powered helicopters, single-engined, with an MOPSC of 5 or less.

(c) Section 3 specifying additional requirements for commercial specialised operations and for those operations referred to in points (b)(1) and (2).

(d) SECTION 4, specifying additional requirements for IAM operations with manned VTOL-capable aircraft (VCA).

Section 1 - Common requirements

ORO.FC.100 Composition of flight crew

(a) The composition of the flight crew and the number of flight crew members at designated crew stations shall be not less than the minimum specified in the aircraft flight manual or operating limitations prescribed for the aircraft.

(b) The flight crew shall include additional flight crew members when required by the type of operation and shall not be reduced below the number specified in the operations manual.

(c) All flight crew members shall hold a licence and ratings issued or accepted in accordance with Part-FCL and appropriate to the duties assigned to them.

(d) The flight crew member may be relieved in flight of his or her duties at the controls by another suitably qualified flight crew member.

(e) When engaging the services of flight crew members who are working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart and the relevant elements of Part-FCL, including the requirements on recent experience, are complied with, taking into account all services rendered by the flight crew member to other operator(s) to determine in particular:

(1) the total number of aircraft types or variants operated; and

(2) the applicable flight and duty time limitations and rest requirements.

(f) Specific requirements for helicopter operations

If the helicopter is operated with a crew of two pilots, each pilot shall either:

(1) hold a certificate of satisfactory completion of a multi-crew cooperation (MCC) course in helicopters in accordance with BAR 1; or

(2) have at least 500 hours of flight time as a pilot in multi-pilot operations.

ORO.FC.105 Designation as pilot-in-command/commander

(a) In accordance with point 8.6 of Part Air Operations Cover Regulation Essential Requirements, one pilot amongst the flight crew, qualified as pilot-in-command in accordance with Part-FCL to BAR 1, shall be designated by the operator as pilot-in-command or, for CAT operations with aeroplanes and helicopters, as commander.

(b) The operator shall only designate a flight crew member to act as pilot-in-command/commander if all of the following apply:

(1) the flight crew member has the minimum level of experience specified in the operations manual;

(2) the flight crew member has adequate knowledge of the route or area to be flown and of the aerodromes, including alternate aerodromes, vertiports, facilities and procedures to be used;

(3) for multi-crew operations, the flight crew member has completed an operator's command course if promoted from co-pilot to pilot-in-command/commander.

(c) For both commercial operations with aeroplanes and helicopters and IAM operations with VCA, the pilot-in-command or commander or the pilot to whom the conduct of the flight may be delegated shall have received initial familiarisation training in the route or area to be flown and in the aerodromes, vertiports, diversion locations, facilities and procedures to be used, and shall maintain this knowledge as follows:

(1) aerodrome or vertiport knowledge shall be maintained by operating at least once at an aerodrome or a vertiport within a 12-calendar-month period;.

(2) route or area knowledge or diversion location knowledge shall be maintained by operating at least once on a route or an area or at a diversion location within a 36-calendar-month period; in addition, refresher training is required regarding route or area knowledge if not operating on a route or an area for 12 months within the 36-calendar-month period.

(d) Notwithstanding point (c), for operations conducted under VFR by day with performance class B and C aeroplanes and helicopters, familiarisation training in routes and aerodromes may be replaced by area familiarisation training.

ORO.FC.110 Flight engineer

When a separate flight engineer station is incorporated in the design of an aeroplane, the flight crew shall include one crew member who is suitably qualified in accordance with Part FCL Subpart L.

ORO.FC.115 Crew resource management (CRM) training

(a) Before operating, the flight crew member shall have received CRM training, appropriate to his/her role, as specified in the operations manual.

(b) Elements of CRM training shall be included in the aircraft type or class training and recurrent training as well as in the command course.

ORO.FC.120 Operator conversion training

(a) The flight crew member shall complete the operator conversion training course before commencing unsupervised line flying:

(1) when changing to an aircraft for which a new type or class rating is required;

(2) each time the flight crew member joins an operator..

(b) The operator conversion training course shall include training on the equipment installed on the aircraft as relevant to flight crew members' roles.

ORO.FC.125 Differences training, familiarisation, equipment and procedure training

(a) Flight crew members shall complete differences training or familiarisation when required by Part- FCL to BAR 1.

(b) Flight crew members shall complete equipment and procedure training when changing equipment or changing procedures requiring additional knowledge on types or variants currently operated.

(c) The operations manual shall specify when such differences training or familiarisation or equipment and procedure training is required.

ORO.FC.130 Recurrent training and checking

(a) Each flight crew member shall complete annual recurrent flight and ground training relevant to the type or variant, and associated equipment of aircraft on which he or she operates, including training on the location and use of all emergency and safety equipment carried on board the aircraft.

(b) Each flight crew member shall be periodically checked to demonstrate competence in carrying out normal, abnormal and emergency procedures.

ORO.FC.135 Pilot qualification to operate in either pilot's seat

Flight crew members who may be assigned to operate in either pilot's seat shall complete appropriate training and checking as specified in the operations manual.

ORO.FC.140 Operation on more than one type or variant

(a) Flight crew members that operate more than one type or variant of aircraft shall comply with the requirements prescribed in this Subpart for each type or variant, unless credits related to the training, checking, and recent experience requirements are defined in the mandatory part of the operational suitability data established in accordance with BAR 8 for the relevant types or variants.

(b) The operator may define groups of single-engined helicopter types. An operator proficiency check on one type shall be valid for all the other types within the group if both of the following conditions are met:

(1) the group either includes only single-engined turbine helicopters operated under VFR or it includes only single-engined piston helicopters operated under VFR;

(2) for CAT operations, at least two operator proficiency checks per type shall be conducted within a 3-year cycle.

(c) For specialised operations, elements of the aircraft/FSTD training and operator proficiency check that cover the relevant aspects associated with the specialised task and are not related to the type or group of types may be credited towards the other groups or types, based on a risk assessment performed by the operator.

(d) For operations with more than one helicopter type or variant or VCA type or variant used for conducting sufficiently similar operations, if line checks rotate between types or variants, each line check shall revalidate the line check for the other helicopter types or variants or VCA types or variants.

(e) Appropriate procedures and any operational restrictions shall be specified in the operations manual for any operation on more than one type or variant

ORO.FC.145 Provision of training, checking and assessment

(a) All training, checking and assessment required in this Subpart shall be conducted in accordance with the training programmes and syllabi established by the operator in the operations manual;

(b) When establishing the training programmes and syllabi, the operator shall include the relevant elements defined in the mandatory part of the operational suitability data established in accordance with BAR 8.

(c) For both CAT operations with airplanes and helicopters and IAM operations with VCA, the training and checking programmes, including the syllabi and means to deliver the programme such as individual flight simulation training devices (FSTDs) and other training solutions, shall be approved by the Brunei DCA.

(d) The FSTD used to meet the requirements of this Subpart shall be qualified in accordance with BAR 1 and it shall replicate the aircraft used by the operator, as far as practicable. Differences between the FSTD and the aircraft shall be described and addressed through a briefing or training, as appropriate.

(e) The operator shall establish a system to adequately monitor changes to the FSTD and to ensure that those changes do not affect the adequacy of the training programmes.

(f) The operator shall monitor the validity of each recurrent training and checking.

(g) The validity periods required in this Subpart shall be counted from the end of the month in which the recency, training or check was completed

ORO.FC.146 Personnel providing training, checking and assessment

(a) All training, checking and assessment required in this Subpart shall be conducted by appropriately qualified personnel.

(b) In the case of flight and flight simulation training, checking and assessment, the personnel that provide the training and conduct the checking or assessment shall be qualified in accordance with BAR 1 Part- FCL. Additionally, the personnel providing training and conducting checking towards specialised operations shall be suitably qualified for the relevant operation.

(c) For an EBT programme, the personnel that performs assessment and provides training shall:

(1) hold a BAR 1 (Part-FCL) or equivalent instructor or examiner certificate;

(2) complete the operator's EBT instructor standardisation programme. This shall include an initial standardisation programme and a recurrent standardisation programme. Completion of the operator's EBT initial standardisation will qualify the instructor to perform EBT practical assessment.

(d) Notwithstanding point (b), the line evaluation of competence may be conducted by a suitably qualified commander nominated by the operator that is standardised in EBT concepts and the assessment of competencies (line evaluator).

(e) Notwithstanding point (b), the aircraft/FSTD training and the operator proficiency check may be conducted by a suitably qualified commander, or pilot-in-command for IAM operations, that holds an FI/TRI/SFI certificate and is nominated by the operator for any of the following operations:

(1) CAT operations of helicopters meeting the criteria defined in point ORO.FC.005(b)(2);

(2) CAT operations of other than complex motor-powered helicopters by day and over routes navigated by reference to visual landmarks;

(3) CAT operations of performance class B aeroplanes that do not meet the criteria defined in point ORO.FC.005(b)(1).

(4) IAM operations with VCA by day and over routes navigated by reference to visual landmarks

(f) Notwithstanding point (b), the aircraft/FSTD training and the demonstration of competence/operator proficiency check may be conducted by a suitably qualified pilot-in-command/commander nominated by the operator for any of the following operations:

(1) specialised operations;

(2) CAT operations of aeroplanes meeting the criteria defined in point ORO.FC.005(b)(1).';

(g) Notwithstanding point (b), the line check may be conducted by a suitably qualified commander nominated by the operator.

(h) The operator shall inform the competent authority about the persons nominated under points (e) to (g).

Section 2 - Additional requirements for commercial air transport operations

ORO.FC.200 Composition of flight crew

(a) There shall not be more than one inexperienced flight crew member in any flight crew.

(b) The commander may delegate the conduct of the flight to another pilot suitably qualified in accordance with Part-FCL provided that the requirements of ORO.FC.105(b)(1), (b)(2) and (c) are complied with.

(c) Specific requirements for aeroplane operations under instrument flight rules (IFR) or at night.

(1) The minimum flight crew shall be two pilots for all turbo-propeller aeroplanes with a maximum operational passenger seating configuration (MOPSC) of more than nine and all turbojet aeroplanes.

(2) Aeroplanes other than those covered by (c)(1) shall be operated with a minimum crew of two pilots, unless the requirements of ORO.FC.202 are complied with, in which case they may be operated by a single pilot.

(d) Specific requirements for helicopter operations

For all operations of helicopters with an MOPSC of more than 19 and for operations under IFR of helicopters with an MOPSC of more than 9, the minimum flight crew shall be two pilots.

ORO.FC.A.201 In-flight relief of flight crew members

(a) The commander may delegate the conduct of the flight to:

(1) another qualified commander; or

(2) for operations only above flight level (FL) 200, a pilot who complies with the following minimum qualifications:

(i) ATPL;

(ii) conversion training and checking, including type rating training, in accordance with ORO.FC.220;

(iii) all recurrent training and checking in accordance with ORO.FC.230 and ORO.FC.240;

(iv) route/area and aerodrome competence in accordance with ORO.FC.105.

(b) The co-pilot may be relieved by:

(1) another suitably qualified pilot;

(2) for operations only above FL 200, a cruise relief co-pilot that complies with the following minimum qualifications:

(i) valid commercial pilot licence (CPL) with an instrument rating;

(ii) conversion training and checking, including type rating training, in accordance with ORO.FC.220 except the requirement for take-off and landing training;

(iii) recurrent training and checking in accordance with point ORO.FC.230, subject to the following conditions:

(A) the checking shall not include take-off manoeuvres;

(B) the checking shall include landing manoeuvres at least in the role of the pilot monitoring.

(c) A flight engineer may be relieved in flight by a crew member suitably qualified in accordance with Part- FCL Subpart L.

ORO.FC.202 Single-pilot operations under IFR or at night

In order to be able to fly under IFR or at night with a minimum flight crew of one pilot, the following shall be complied with:

(a) The operator shall include in the operations manual a pilot's conversion and recurrent training programme that includes the additional requirements for a single-pilot operation. The pilot shall have undertaken training on the operator's procedures, in particular regarding:

(1) engine management and emergency handling;

(2) use of normal, abnormal and emergency checklist;

(3) air traffic control (ATC) communication;

(4) departure and approach procedures;

(5) autopilot management, if applicable;

(6) use of simplified in-flight documentation;

(7) single-pilot crew resource management.

(b) INTENTIONALLY LEFT BLANK.

(c) For aeroplane operations under IFR the pilot shall have:

(1) a minimum of 50 hours flight time under IFR on the relevant type or class of aeroplane, of which 10 hours are as commander; and

(2) completed during the preceding 90 days on the relevant type or class of aeroplane:

(i) five IFR flights, including three instrument approaches, in a single-pilot role; or

(ii) an IFR instrument approach check.

(d) For aeroplane operations at night the pilot shall have:

(1) a minimum of 15 hours flight time at night which may be included in the 50 hours flight time under IFR in (c)(1); and

(2) completed during the preceding 90 days on the relevant type or class of aeroplane:

(i) three take-offs and landings at night in the single pilot role; or

(ii) a night take-off and landing check.

(e) For helicopter operations under IFR the pilot shall have:

(1) 25 hours total IFR flight experience in the relevant operating environment; and

(2) 25 hours flight experience as a single pilot on the specific type of helicopter, approved for single-pilot IFR, of which 10 hours may be flown under supervision, including five sectors of IFR line flying under supervision using the single-pilot procedures; and

(3) completed during the preceding 90 days:

(i) five IFR flights as a single pilot, including three instrument approaches, carried out on a helicopter approved for this purpose; or

(ii) an IFR instrument approach check as a single pilot on the relevant type of helicopter, flight training device (FTD) or full flight simulator (FFS).

ORO.FC.205 Command course

(a) For aeroplane and helicopter operations, the command course shall include at least the following elements:

(1) training in an FSTD, which includes line oriented flight training (LOFT) and/or flight training;

(2) the operator proficiency check, operating as commander;

(3) command responsibilities training;

(4) line training as commander under supervision, for a minimum of:

(i) 10 flight sectors, in the case of aeroplanes; and

(ii) 10 hours, including at least 10 flight sectors, in the case of helicopters;

(5) completion of a line check as commander and demonstration of adequate knowledge of the route or area to be flown and of the aerodromes, including alternate aerodromes, facilities and procedures to be used; and

(6) crew resource management training.

ORO.FC.215 Initial operator's crew resource management (CRM) training

(a) The flight crew member shall have completed an initial CRM training course before commencing unsupervised line flying.

(b) Initial CRM training shall be conducted by at least one suitably qualified CRM trainer who may be assisted by experts in order to address specific areas.

(c) If the flight crew member has not previously received theoretical training in human factors to the ATPL level, he/she shall complete, before or combined with the initial CRM training, a theoretical course provided by the operator and based on the human performance and limitations syllabus for the ATPL as established in Part-FCL.

ORO.FC.220 Operator conversion training and checking

(a) CRM training shall be integrated into the operator conversion training course.

(b) Once an operator conversion course has been commenced, the flight crew member shall not be assigned to flying duties on another type or class of aircraft until the course is completed or terminated. Crew members operating only performance class B aeroplanes may be assigned to flights on other types of performance class B aeroplanes during conversion courses to the extent necessary to maintain the operation. Crew members may be assigned to flights on single-engined helicopters during an operator conversion course on a single-engined helicopter, provided that the training is unaffected.

(c) The amount of training required by the flight crew member for the operator's conversion course shall be determined in accordance with the standards of qualification and experience specified in the operations manual, taking into account his/her previous training and experience.

(d) The flight crew member shall complete:

(1) the operator proficiency check and the emergency and safety equipment training and checking before commencing line flying under supervision (LIFUS); and

(2) the line check upon completion of line flying under supervision. For performance class B aeroplanes, LIFUS may be performed on any aeroplane within the applicable class.

(e) In the case of aeroplanes, pilots that have been issued a type rating based on a zero flight-time training (ZFTT) course shall:

(1) commence line flying under supervision not later than 21 days after the completion of the skill test or after appropriate training provided by the operator. The content of that training shall be described in the operations manual;

(2) complete six take-offs and landings in an FSTD not later than 21 days after the completion of the skill test under the supervision of a type rating instructor for aeroplanes ("TRI(A)") occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Part 21. If those take-offs and landings have not been performed within 21 days, the operator shall provide refresher training the content of which shall be described in the operations manual in agreement with Brunei DCA;

(3) conduct the first four take-offs and landings of the LIFUS in the aeroplane under the supervision of a TRI(A) occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Part 21.i

(f) If operational circumstances, such as applying for a new AOC or adding a new aircraft type or class to the fleet, do not allow the operator to comply with the requirements in (d), the operator may develop a specific conversion course, to be used temporarily for a limited number of pilots.

ORO.FC.230 Recurrent training and checking

(a) Each flight crew member shall complete recurrent training and checking relevant to the type or variant, and associated equipment of aircraft on which they operate.

(b) Operator proficiency check

(1) Each flight crew member shall complete operator proficiency checks as part of the normal crew complement.

(2) When the flight crew member will be required to operate under IFR, the operator proficiency check shall be conducted without external visual reference, as appropriate.

(3) The validity period of the operator proficiency check shall be 6 calendar months. For operations under VFR by day of performance class B aeroplanes that are conducted during seasons not longer than 8 consecutive months, one operator proficiency check shall be sufficient. The proficiency check shall be undertaken before commencing CAT operations.

(c) Line check

Each flight crew member shall complete a line check on the aircraft. The validity period of the line check shall be 12 calendar months.

(d) Emergency and safety equipment training and checking

Each flight crew member shall complete recurrent training and checking on the location and use of all emergency and safety equipment carried on board the aircraft. The validity period of an emergency and safety equipment training and checking shall be 12 calendar months.

(e) .CRM training

(1) Elements of CRM shall be integrated into all appropriate phases of the recurrent training.

(2) Each flight crew member shall undergo specific modular CRM training. All major topics of CRM training shall be covered by distributing modular training sessions as evenly as possible over each 3-year period.

(f) Each flight crew member shall undergo ground training and flight training in an FSTD or an aircraft, or a combination of FSTD and aircraft training, at least every 12 calendar months.

ORO.FC.231 Evidence based training

(a) EBT PROGRAMME

(1) The operator may substitute the requirements of ORO.FC.230 by establishing, implementing and maintaining a suitable EBT programme approved by the competent authority.

The operator shall demonstrate its capability to support the implementation of the EBT programme (including an implementation plan) and perform a safety risk assessment demonstrating how an equivalent level of safety is achieved.

(2) The EBT programme shall:

(i) correspond to the size of the operator, and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities;

(ii) ensure pilot competence by assessing and developing pilot competencies required for a safe, effective and efficient operation of aircraft;

(iii) ensure that each pilot is exposed to the assessment and training topics derived in accordance with ORO.FC.232;

(iv) include at least six EBT modules distributed across a 3-year programme; each EBT module shall consist of an evaluation phase and a training phase. The validity period of a EBT module shall be 12 months;

(A) The evaluation phase comprises a line-orientated flight scenario (or scenarios) to assess all competencies and identify individual training needs.

(B) The training phase comprises:

(a) the manoeuvres training phase, comprising training to proficiency in certain defined manoeuvres;

(b) the scenario-based training phase, comprising a line-orientated flight scenario (or scenarios) to develop competencies and address individual training needs.

The training phase shall be conducted in a timely manner after the evaluation phase.

(3) The operator shall ensure that each pilot enrolled in the EBT programme completes:

(i) a minimum of two EBT modules within the validity period of the type rating, separated by a period of not less than 3 months. The EBT module is completed when:

(A) the content of the EBT programme is completed for that EBT module (exposure of the pilot to the assessment and training topics); and

(B) an acceptable level of performance in all observed competencies has been demonstrated;

(ii) line evaluation(s) of competence; and

(iii) ground training.

(4) The operator shall establish an EBT instructor standardisation and concordance assurance programme to ensure that the instructors involved in EBT are properly qualified to perform their tasks.

(i) All instructors must be subject to this programme;

(ii) The operator shall use appropriate methods and metrics to assess concordance;

(iii) The operator shall demonstrate that the instructors have sufficient concordance.

(5) The EBT programme may include contingency procedures for unforeseen circumstances that could affect the delivery of the EBT modules. The operator shall demonstrate the need for those procedures. The procedures shall ensure that a pilot does not continue line operations if the performance observed was below the minimum acceptable level. They may include:

(i) a different separation period between EBT modules; and

(ii) different order of the phases of the EBT module.

(b) COMPETENCY FRAMEWORK

The operator shall use a competency framework for all aspects of assessment and training within an EBT programme. The competency framework shall:

(1) be comprehensive, accurate, and usable;

(2) include observable behaviours required for safe, effective and efficient operations;

(3) include a defined set of competencies, their descriptions and their associated observable behaviours.

(c) TRAINING SYSTEM PERFORMANCE

(1) The EBT system performance shall be measured and evaluated through a feedback process in order to:

(i) validate and refine the operator's EBT programme;

(ii) ascertain that the operator's EBT programme develops pilot competencies.

(2) The feedback process shall be included in the operator's management system.

(3) The operator shall develop procedures governing the protection of EBT data.

(d) GRADING SYSTEM

(1) The operator shall use a grading system to assess the pilot competencies. The grading system shall ensure:

(i) a sufficient level of detail to enable accurate and useful measurements of individual performance;

(ii) a performance criterion and a scale for each competency, with a point on the scale which determines the minimum acceptable level to be achieved for the conduct of line operations. The operator shall develop procedures to address low performance of the pilot;

(iii) data integrity;

(iv) data security.

(2) The operator shall verify at regular intervals the accuracy of the grading system against a criterion- referenced system.

(e) SUITABLE TRAINING DEVICES AND VOLUME OF HOURS TO COMPLETE THE OPERATOR'S EBT PROGRAMME

(1) Each EBT module shall be conducted in an FSTD with a qualification level adequate to ensure the correct delivery of the assessment and training topics.

(2) The operator shall provide a sufficient volume of hours in the suitable training device for the pilot to complete the operator's EBT programme. The criteria to determine the volume of the EBT programme are as follows:

(i) The volume corresponds to the size and complexity of the EBT programme;

(ii) The volume is sufficient to complete the EBT programme;

(iii) The volume ensures an effective EBT programme taking into account the recommendations provided by ICAO, the Agency, and the competent authority;

(iv) The volume corresponds to the technology of the training devices used.

(f) EQUIVALENCY OF MALFUNCTIONS

(1) Each pilot shall receive assessment and training in the management of aircraft system malfunctions.

(2) Aircraft system malfunctions that place a significant demand on a proficient crew shall be organised by reference to the following characteristics:

(i) immediacy;

(ii) complexity;

(iii) degradation of aircraft control;

(iv) loss of instrumentation;

(v) management of consequences.

(3) Each pilot shall be exposed to at least one malfunction for each characteristic at the frequency determined by the table of assessment and training topics.

(4) Demonstrated proficiency in the management of one malfunction is considered equivalent to demonstrated proficiency in the management of other malfunctions with the same characteristics.

(g) EQUIVALENCY OF APPROACHES RELEVANT TO OPERATIONS

(1) The operator shall ensure that each pilot receives regular training in the conduct of approach types and approach methods relevant to operations.

(2) This training shall include approaches that place an additional demand on a proficient crew.

(3) This training shall include the approaches that require specific approval in accordance with Annex V (Part- SPA) to this Regulation.

(h) LINE EVALUATION OF COMPETENCE

(1) Each pilot shall periodically undertake a line evaluation of competence in an aircraft to demonstrate the safe, effective and efficient conduct of normal line operations described in the operations manual.

(2) The validity period of a line evaluation of competence shall be 12 months.

(3) The operator approved for EBT may, with the approval of the competent authority, extend the validity of the line evaluation of competence to:

(i) either 2 years, subject to a risk assessment;

(ii) or 3 years, subject to a feedback process for the monitoring of line operations which identifies threats to the operations, minimises the risks of such threats, and implements measures to manage human error in the operations.

(4) For successful completion of the line evaluation of competence, the pilot shall demonstrate an acceptable level of performance in all observed competencies.

(i) GROUND TRAINING

(1) Every 12 calendar months, each pilot shall undergo:

(i) technical ground training;

(ii) assessment and training on the location and use of all emergency and safety equipment carried on the aircraft.

(2) The operator may, with the approval of the competent authority and subject to a risk assessment, extend the period of assessment and training on the location and use of all emergency and safety equipment carried on the aircraft to 24 months.

ORO.FC.232 EBT assessment and training topics

(a) The operator shall ensure that each pilot is exposed to the assessment and training topics.

(b) The assessment and training topics shall be:

(1) derived from safety and operational data that are used to identify the areas for improvement and prioritisation of pilot training to guide in the construction of suitable EBT programmes;

(2) distributed across a 3-year period at a defined frequency;

(3) relevant to the type or variant of aircraft on which the pilot operates.";

ORO.FC.235 Pilot qualification to operate in either pilot's seat - aeroplanes

(a) Commanders of aeroplanes whose duties require them to operate in either pilot's seat and carry out the duties of a co-pilot, or commanders required to conduct training or checking duties shall complete additional training and checking to ensure that they are proficient in conducting the relevant normal, abnormal and emergency procedures from either seat. Such training and checking shall be specified in the operations manual. The checking may be conducted together with the operator proficiency check prescribed in ORO. FC.230(b) or in the EBT programme prescribed in ORO.FC.231.

(b) The additional training and checking shall include at least the following:

(1) an engine failure during take-off;

(2) a one-engine-inoperative approach and go-around; and

(3) a one-engine-inoperative landing.

(c) The validity period shall be 12 calendar months. For operators with an approved EBT programme, the validity is determined by the assessment and training topics in accordance with ORO.FC.232.

(d) When operating in the co-pilot's seat, the checks required by ORO.FC.230 or the assessment and training required by ORO.FC.231 for operating in the commander's seat shall, in addition, be valid and current.

(e) The pilot relieving the commander shall have demonstrated, concurrent with the operator proficiency checks prescribed in ORO.FC.230(b) or the assessment and training required by ORO.FC.231, practice of drills and procedures that would not normally be his or her responsibility. Where the differences between left- and right-hand seats are not significant, practice may be conducted in either seat.

(f) The pilot, other than the commander, occupying the commander's seat shall demonstrate practice of drills and procedures, concurrent with the operator proficiency checks prescribed in ORO.FC.230(b) or the assessment and training required by ORO.FC.231, which are the commander's responsibility acting as pilot monitoring. Where the differences between left- and right-hand seats are not significant, practice may be conducted in either seat.

ORO.FC.235 Pilot qualification to operate in either pilot's seat - aeroplanes

(a) Helicopter pilots whose duties require them to operate in either pilot's seat shall complete additional training and checking to ensure that they are proficient in conducting the relevant normal, abnormal and emergency procedures from either seat. The validity period of this qualification shall be 12 calendar months.

(b) Current FIs or TRIs on the relevant type are considered to fulfil the requirement of point (a) if they have had a FI or TRI activity in the last 6 months on that type and on the helicopter

ORO.FC.240 Operation on more than one type or variant

(a) The procedures or operational restrictions for operation on more than one type or variant established in the operations manual and approved by the Brunei DCA shall cover:

(1) the flight crew members' minimum experience level;

(2) the minimum experience level on one type or variant before beginning training for and operation of another type or variant;

(3) the process whereby flight crew qualified on one type or variant will be trained and qualified on another type or variant; and

(4) all applicable recent experience requirements for each type or variant.

(b) INTENTIONALLY LEFT BLANK..

(c) Point (a) shall not apply to operations of performance class B aeroplanes if they are limited to single-pilot classes of reciprocating engine aeroplanes under VFR by day..

ORO.FC.A.245 Alternative training and qualification programme

(a) The aeroplane operator having appropriate experience may substitute one or more of the following training and checking requirements for flight crew by an alternative training and qualification programme (ATQP), approved by the competent authority:

(1) set out in point SPA.LVO.120 on flight crew training and qualifications;

(2) set out in point ORO.FC.220 on conversion training and checking;

(3) set out in point ORO.FC.125 on differences training, familiarisation, equipment and procedure training;

(4) set out in point ORO.FC.205 on command course;

(5) set out in point ORO.FC.230 on recurrent training and checking; and (6) set out in point ORO.FC.240 on operation on more than one type or variant.

(b) The ATQP shall contain training and checking that establishes and maintains at least an equivalent level of proficiency achieved by complying with the provisions of ORO.FC.220 and ORO.FC.230. The level of flight crew training and qualification proficiency shall be demonstrated prior to being granted the ATQP approval by the Brunei DCA.

(c) The operator applying for an ATQP approval shall provide the Brunei DCA with an implementation plan, including a description of the level of flight crew training and qualification proficiency to be achieved.

(d) In addition to the checks required by points ORO.FC.230 and FCL.060 of BAR 1 Part-FCL to each flight crew member shall complete a line oriented evaluation (LOE) conducted in an FSTD. The validity period of an LOE shall be 12 calendar months. The LOE is completed when both of the following conditions are met:

(1) the syllabus of the LOE is completed; and

(2) the flight crew member has demonstrated an acceptable level of performance.

(e) After 2 years of operating with an approved ATQP, the operator may, with the approval of the competent authority, extend the validity periods of the checks referred to in point ORO.FC.230 as follows:

(1) Operator proficiency check to 12 calendar months.

(2) Line check to 24 calendar months.

(3) Emergency and safety equipment checking to 24 calendar months.

(f) Each flight crew member shall undergo specific modular CRM training. All major topics of CRM training shall be covered by distributing modular training sessions as evenly as possible over each 3-year period.

(g) The ATQP programme shall include 48 hours on an FSTD for each flight crew member, distributed evenly over a 3-year programme. The operator may reduce the number of FSTD hours, but no lower than 36 hours, provided that it demonstrates that the level of safety that is achieved is equivalent to that of the programme the ATQP may substitute in accordance with point (a)

ORO.FC.A.250 Commanders holding a CPL(A)

(a) Holders of a CPL(H) (helicopter) shall only act as commanders in CAT operations on a single-pilot helicopter if:

(1) when operating under IFR, they have a minimum of 700 hours total flight time on helicopters, including 300 hours as pilot-in-command. The total flight time on helicopters shall include 100 hours under IFR. Up to 50 hours instrument time performed on an FFS(H) level B or FTD level 3 qualification or higher qualified for instrument training, may be credited towards the 100 hours. The 300 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual on the basis of 2 hours of flight time as co-pilot for 1 hour flight time as pilot-in command;

(2) when operating on a multi-engine type under IFR, he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. These hours shall include 100 hours under IFR and 40 hours in multi-engine operations. The 400 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual, on the basis of two hours of flight time as co-pilot for one hour of flight time as pilot-in command;

(3) when operating on a single-engined aeroplane under IFR, he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. Those hours shall include 100 hours under IFR. The 400 hours as pilot-in-command may be substituted by hours operating as co-pilot within

an established multi-pilot crew system prescribed in the operations manual, on the basis of two hours of flight time as co-pilot for one hour of flight time as pilot-in command.

(b) For operations under VFR by day of performance class B aeroplanes (a)(1) shall not apply.

ORO.FC.H.250 Commanders holding a CPL(H)

(a) The holder of a CPL(H) (helicopter) shall only act as commander in commercial air transport on a single-pilot helicopter if:

(1) when operating under IFR, he/she has a minimum of 700 hours total flight time on helicopters, including 300 hours as pilot-in-command. These hours shall include 100 hours under IFR. The 300 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual on the basis of two hours of flight time as co-pilot for one hour flight time as pilot-in command;

(2) When operating under visual meteorological conditions (VMC) at night, he/she has:

(i) a valid instrument rating; or

(ii) 300 hours of flight time on helicopters, including 100 hours as pilot-in-command and 10 hours as pilot flying at night.

Section 3 - Additional requirements for commercial specialised operations and CAT operations referred to in ORO.FC.005(b)(1) and (2)

ORO.FC.320 Operator conversion training and checking

The operator conversion course shall include an operator proficiency check

ORO.FC.325 Equipment and procedure training and checking

If a flight crew member undergoes equipment and procedure training that requires training on a suitable FSTD or the aircraft, with regard to standard operating procedures related to a specialised operation, the flight crew member shall undergo an operator proficiency check

ORO.FC.330 Recurrent training and checking — operator proficiency check

(a) Each flight crew member shall complete recurrent training and operator proficiency checks. In the case of specialised operations, the recurrent training and checking shall cover the relevant aspects associated with the specialised tasks described in the operations manual.

(b) Appropriate consideration shall be given when operations are undertaken under IFR or at night.

(c) The validity period of the operator proficiency check shall be 12 calendar months.

Section 4 - Additional requirements for IAM operations with manned VTOL-capable aircraft (VCA)

ORO.FC.400 Flight crew composition

The minimum flight crew composition for IAM operations with manned VTOL-capable aircraft (VCA) shall correspond to that specified in the operations manual, considering the minimum number specified in the flight manual or in other documents associated with the certificate of airworthiness (CofA) of the particular aircraft.

ORO.FC.415 Initial operator's crew resource management (CRM) training

(a) The flight crew member shall complete an initial CRM training course before commencing unsupervised line flying.

(b) The initial CRM training course shall be conducted by at least one suitably qualified CRM trainer who may be assisted by experts in order to address specific training areas.

ORO.FC.420 Operator conversion training and checking

(a) CRM training shall be integrated into the operator conversion training course.

(b) Once an IAM operator conversion training course starts, the flight crew member shall not be assigned to flying duties on another type or class of aircraft until the training course is completed or terminated.

(c) The amount of training required by the flight crew member for the IAM operator's conversion course shall be determined in accordance with the standards of qualification and experience specified in the operations manual, taking into account the flight crew member's previous training and experience.

(d) The flight crew member shall complete:

(1) the IAM operator proficiency check and the emergency and safety equipment training and checking before commencing line flying under supervision (LIFUS); and

(2) the line check upon completion of LIFUS.

(e) If operational circumstances, such as applying for a new AOC or adding a new aircraft type or class to the fleet, do not allow the IAM operator to comply with the requirements in point (d), that operator may develop a specific conversion course to be used temporarily for a limited number of flight crew members.

ORO.FC.430 Recurrent training and checking

(a) Each flight crew member shall complete recurrent training and checking relevant to the VCA type or variant on which they operate, and to associated equipment.

(b) IAM operator proficiency check

(1) Each flight crew member shall complete the IAM operator proficiency checks as part of the normal crew complement to demonstrate their competence in applying normal, abnormal and emergency procedures, covering the relevant aspects associated with the tasks described in the operations manual.

(2) Reserved.

(3) The validity period of the IAM operator proficiency check shall be 6 calendar months.

(c) Line check

Each flight crew member shall complete a line check on the VCA. The validity period of the line check shall be 12 calendar months.

(d) Emergency and safety equipment training and checking

Each flight crew member shall complete recurrent training and checking with regard to the location and use of all emergency and safety equipment carried on board the aircraft. The validity period of an emergency and safety equipment check shall be 12 calendar months.

(e) CRM training

(1) CRM training elements shall be integrated into all appropriate phases of the recurrent training.

(2) Each flight crew member shall receive specific modular CRM training. All major topics of the CRM training shall be covered by distributing modular training sessions as evenly as possible over each 3-year period.

(f) Each flight crew member shall receive ground training and flight training in an FSTD or a VCA, or a combination of FSTD and VCA training, at least every 12 calendar months.

ORO.FC.440 Conducting operations on more than one type or variant

(a) The procedures or operational restrictions for conducting operations on more than one type or variant established in the operations manual and approved by the competent authority shall cover:

(1) the flight crew members' minimum experience required;

(2) the minimum experience required for a given type or variant before commencing training in and operation on another type or variant;

(3) the process whereby flight crew members qualified on one type or variant will be trained in and qualify for another type or variant; and

(4) all applicable recent experience requirements for each type or variant.

(b) Flight crew members should not operate more than three aircraft types or groups of types, including at least one VCA.

Section 1 - Common requirements

ORO.CC.100 Number and composition of cabin crew

(a) For the operation of aircraft with an MOPSC of more than 19, at least one cabin crew member shall be assigned when carrying one or more passenger(s).

(b) For the purpose of complying with point (a), the minimum number of cabin crew members shall be the greatest number amongst the following:

(1) the number of cabin crew members established during the aircraft certification process in accordance with the applicable certification specifications, for the aircraft cabin configuration used by the operator;

(2) if the number under point (1) has not been established, the number of cabin crew members established during the aircraft certification process for the maximum certified passenger seating configuration reduced by 1 for every whole multiple of 50 passenger seats of the aircraft cabin configuration used by the operator falling below the maximum certified seating capacity;

(3) one cabin crew member for every 50, or fraction of 50, passenger seats installed on the same deck of the aircraft to be operated.

(c) For operations with more than one cabin crew member, the operator shall nominate one cabin crew member accountable to the pilot-in-command or the commander.

(d) By way of derogation from point (a), non-commercial operations with aircraft with an MOPSC of more than 19 may be performed without an operating cabin crew member, subject to the prior approval by the Brunei DCA. To obtain the approval, the operator shall ensure that all of the following conditions are fulfilled:

(1) there are maximum 19 passengers on board;

(2) the operator has developed procedures for that operation..

ORO.CC.110 Conditions for assignment to duties

(a) Cabin crew members shall only be assigned to duties on an aircraft if they:

(1) are at least 18 years of age;

(2) have been assessed, in accordance with the applicable requirements of Part-MED, as physically and mentally fit to perform their duties and discharge their responsibilities safely; and

(3) have successfully completed all applicable training and checking required by this Subpart and are competent to perform the assigned duties in accordance with the procedures specified in the operations manual.

(b) Before assigning to duties cabin crew members who are working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart are complied with, taking into account all services rendered by the cabin crew member to any other operator(s), to determine in particular:

(1) the total number of aircraft types and variants operated; and

(2) the applicable flight and duty time limitations and rest requirements.

(c) Operating cabin crew members, as well as their role with regard to the safety of passengers and flight, shall be clearly identified to the passengers.

ORO.CC.115 Conduct of training courses and associated checking

(a) A detailed programme and syllabus shall be established by the operator for each training course in accordance with the applicable requirements of this Subpart, and of Part-CC where applicable, to cover the duties and responsibilities to be discharged by the cabin crew members.

(b) Each training course shall include theoretical and practical instruction together with individual or collective practice, as relevant to each training subject, in order that the cabin crew member achieves and maintains the adequate level of proficiency in accordance with this Subpart.

(c) Each training course shall be:

(1) conducted in a structured and realistic manner; and

(2) performed by personnel appropriately qualified for the subject to be covered.

(d) During or following completion of all training required by this Subpart, each cabin crew member shall undergo a check covering all training elements of the relevant training programme, except for crew resource management (CRM) training. Checks shall be performed by personnel appropriately qualified to verify that the cabin crew member has achieved and/or maintains the required level of proficiency.

(e) CRM training courses and CRM modules where applicable shall be conducted by a CRM instructor. When CRM elements are integrated in other training, a CRM instructor shall manage the definition and implementation of the syllabus.

ORO.CC.120 Initial training course

(a) Each new entrant who does not already hold a valid cabin crew attestation issued in accordance with Part-CC:

(1) shall be provided with an initial training course as specified in CC.TRA.220 of that Part; and

(2) shall successfully undergo the associated examination before undertaking other training required by this Subpart.

(b) Elements of the initial training programme may be combined with the first aircraft type specific training and operator conversion training, provided that the requirements of CC.TRA.220 are met and any such element(s) are recorded as elements of the initial training course in the training records of the cabin crew members concerned.

ORO.CC.125 Aircraft type specific training and operator conversion training

(a) Each cabin crew member shall have completed appropriate aircraft type specific training and operator conversion training, as well as the associated checks, before being:

(1) first assigned by the operator to operate as a cabin crew member; or

(2) assigned by that operator to operate on another aircraft type.

(b) When establishing the aircraft type specific and the operator conversion training programmes and syllabi, the operator shall include, where available, the relevant elements defined in the mandatory part of the operational suitability data established in Part 21.

(c) The aircraft type specific training programme shall:

(1) involve training and practice on a representative training device or on the actual aircraft; and

(2) cover at least the following aircraft type specific training elements:

(i) aircraft description as relevant to cabin crew duties;

(ii) all safety equipment and systems installed relevant to cabin crew duties;

(iii) operation and actual opening, by each cabin crew member, of each type or variant of normal and emergency doors and exits in the normal and emergency modes;

(iv) demonstration of the operation of the other exits including flight crew compartment windows;

(v) fire and smoke protection equipment where installed;

(vi) evacuation slide training, where fitted;

(vii) operation of the seat, restraint system and oxygen system equipment relevant to pilot incapacitation.

(d) The operator conversion training programme for each aircraft type to be operated shall:

(1) involve training and practice on a representative training device or on the actual aircraft;

(2) include training in the operator's standard operating procedures for cabin crew members to be first assigned to duties by the operator;

(3) cover at least the following operator specific training elements as relevant to the aircraft type to be operated:

(i) description of the cabin configuration;

(ii) location, removal and use of all portable safety and emergency equipment carried on-board;

(iii) all normal and emergency procedures;

(iv) passenger handling and crowd control;

(v) fire and smoke training including the use of all related fire-fighting and protective equipment representative of that carried on-board;

(vi) evacuation procedures;

(vii) pilot incapacitation procedures;

(viii) applicable security requirements and procedures;

(ix) crew resource management.

ORO.CC.130 Differences training

(a) In addition to the training required in ORO.CC.125, the cabin crew member shall complete appropriate training and checking covering any differences before being assigned on:

(1) a variant of an aircraft type currently operated; or

(2) a currently operated aircraft type or variant with different:

(i) safety equipment;

(ii) safety and emergency equipment location; or

(iii) normal and emergency procedures.

(b) The differences training programme shall:

(1) be determined as necessary on the basis of a comparison with the training programme completed by the cabin crew member, in accordance with ORO.CC.125(c) and (d), for the relevant aircraft type; and

(2) involve training and practice in a representative training device or the actual aircraft as relevant to the difference training element to be covered.

(c) When establishing a differences training programme and syllabus for a variant of an aircraft type currently operated, the operator shall include, where available, the relevant elements defined in the mandatory part of the operational suitability data established in Part 21.

ORO.CC.135 Familiarisation

After completion of aircraft type specific training and operator conversion training on an aircraft type, each cabin crew member shall complete appropriate supervised familiarisation on the type before being assigned to operate as a member of the minimum number of cabin crew required in accordance with ORO.CC.100.

ORO.CC.140 Recurrent training

(a) Each cabin crew member shall complete annually recurrent training and checking.

(b) Recurrent training shall cover the actions assigned to each member of the cabin crew in normal and emergency procedures and drills relevant to each aircraft type and/or variant to be operated.

(c) Aircraft type specific training elements:

(1) Recurrent training shall include annually touch-drills by each cabin crew member for simulating the operation of each type or variant of normal and emergency doors and exits for passenger evacuation.

(2) Recurrent training shall also include at intervals not exceeding three years:

(i) operation and actual opening by each cabin crew member, in a representative training device or in the actual aircraft, of each type or variant of normal and emergency exits in the normal and emergency modes;

(ii) actual operation by each cabin crew member, in a representative training device or in the actual aircraft, of the flight crew compartment security door, in both normal and emergency modes, and of the seat and restraint system, and a practical demonstration of the oxygen system equipment relevant to pilot incapacitation;

(iii) demonstration of the operation of all other exits including the flight crew compartment windows; and

(iv) demonstration of the use of the life-raft, or slide raft, where fitted.

(d) Operator specific training elements:

(1) Recurrent training shall include annually:

(i) by each cabin crew member:

(A) location and handling of all safety and emergency equipment installed or carried on board; and

(B) the donning of life-jackets, portable oxygen and protective breathing equipment (PBE);

(ii) stowage of articles in the passenger compartment;

(iii) procedures related to aircraft surface contamination;

(iv) emergency procedures;

(v) evacuation procedures;

(vi) incident and accident review;

(vii) crew resource management;

(viii) aero-medical aspects and first aid including related equipment;

(ix) security procedures.

(2) Recurrent training shall also include at intervals not exceeding three years:

(i) use of pyrotechnics (actual or representative devices);

(ii) practical demonstration of the use of flight crew checklists;

(iii) realistic and practical training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft;

(iv) by each cabin crew member:

(A) extinguishing a fire characteristic of an aircraft interior fire;

(B) donning and use of PBE in an enclosed simulated smoke-filled environment.

(e) Validity periods:

(1) The annual recurrent training validity period shall be 12 calendar months counted from the end of the month when the check was taken.

(2) If the recurrent training and checking required in (a) are undertaken within the last three calendar months of the validity period, the new validity period shall be counted from the original expiry date.

(3) For the additional triennial training elements specified in (c)(2) and (d)(2), the validity period shall be 36 calendar months counted from the end of the month when the checks were taken.

ORO.CC.145 Refresher training

(a) When a cabin crew member, during the preceding six months within the validity period of the last relevant recurrent training and checking:

(1) has not performed any flying duties, he/she shall, before being reassigned to such duties, complete refresher training and checking for each aircraft type to be operated; or

(2) has not performed flying duties on one particular aircraft type, he/she shall, before being reassigned to duties, complete on that aircraft type:

(i) refresher training and checking; or

(ii) two familiarisation flights in accordance with ORO.CC.135.

(b) The refresher training programme for each aircraft type shall at least cover:

(1) emergency procedures;

(2) evacuation procedures;

(3) operation and actual opening, by each cabin crew member, of each type or variant of normal and emergency exits and of the flight crew compartment security door in the normal and emergency modes;

(4) demonstration of the operation of all other exits including the flight crew compartment windows;

(5) location and handling of all relevant safety and emergency equipment installed or carried on-board.

(c) The operator may elect to replace refresher training by recurrent training if the reinstatement of the cabin crew member's flying duties commences within the validity period of the last recurrent training and checking. If that

validity period has expired, refresher training may only be replaced by aircraft type specific and operator conversion training as specified in ORO.CC.125.

Section 2 – Additional Requirements for Commercial Air Transport Operations

ORO.CC.200 Senior cabin crew member

(a) When more than one cabin crew member is required, the composition of the cabin crew shall include a senior cabin crew member nominated by the operator.

(b) The operator shall nominate cabin crew members to the position of senior cabin crew member only if they:

(1) have at least one year of experience as operating cabin crew member; and

(2) have successfully completed a senior cabin crew training course and the associated check.

(c) The senior cabin crew training course shall cover all duties and responsibilities of senior cabin crew members and shall include at least the following elements:

(1) pre-flight briefing;

(2) cooperation with the crew;

(3) review of operator requirements and legal requirements;

(4) accident and incident reporting;

(5) human factors and crew resource management (CRM); and

(6) flight and duty time limitations and rest requirements.

(d) The senior cabin crew member shall be responsible to the commander for the conduct and coordination of normal and emergency procedures specified in the operations manual, including for discontinuing non-safety-related duties for safety or security purposes.

(e) The operator shall establish procedures to select the most appropriately qualified cabin crew member to act as senior cabin crew member if the nominated senior cabin crew member becomes unable to operate. Changes to these procedures shall be notified to the Brunei DCA.

ORO.CC.205 Reduction of the number of cabin crew during ground operations and in unforeseen circumstances

(a) Whenever passengers are on board an aircraft, the minimum number of cabin crew members required in accordance with point ORO.CC.100 shall be present in the aircraft and ready to act.

(b) By way of derogation from point (a), the minimum number of cabin crew members may be reduced in either of the following cases:

(1) during normal ground operations not involving refuelling or defuelling when the aircraft is at its parking station.

(2) in unforeseen circumstances if the number of passengers carried on the flight is reduced. In this case, a report shall be submitted to the Brunei DCA after completion of the flight.

(3) for the purpose of providing in-flight rest during the cruise phase, either in accordance with point ORO.FTL.205(e) or as a fatigue mitigation implemented by the operator

(c) For the purposes of points (b)(1) and (b)(2), the operator's procedures of the operations manual shall ensure that:

(1) an equivalent level of safety is achieved with the reduced number of cabin crew members, in particular for evacuation of passengers.

(2) despite the reduced number of cabin crew members, a senior cabin crew member is present in accordance with point ORO.CC.200.

(3) at least one cabin crew member is required for every 50, or fraction of 50, passengers present on the same deck of the aircraft.

(4) in the case of normal ground operations with aircraft requiring more than one cabin crew member, the number determined in accordance with point (3) shall be increased by one cabin crew member per each pair of floor level emergency exits.

(d) For the purposes of point (b)(3), the operator shall.

(1) conduct a risk assessment to determine the number of cabin crew members who are to be present and ready to act at all times during cruise

(2) identify measures to mitigate the effects of having a lower number of cabin crew members being present and ready to act during cruise

(3) establish in the operation's manual specific procedures, including for the in-flight rest of the senior cabin crew member, that ensure at all times appropriate passenger handling and efficient management of any abnormal or emergency situations;

(4) specify, in the flight time specification scheme in accordance with point ORO.FTL.125, the conditions under which in-flight rest may be provided to the cabin crew members.

ORO.CC.210 Additional conditions for assignment to duties

Cabin crew members shall only be assigned to duties, and operate, on a particular aircraft type or variant if they:

(a) hold a valid attestation issued in accordance with Part-CC.

(b) are qualified on the type or variant in accordance with this Subpart.

(c) comply with the other applicable requirements of this Subpart and Part-CAT.

(d) wear the operator's cabin crew uniform.

ORO.CC.215 Training and checking programs and related documentation

(a) Training and checking programmes including syllabi required by this Subpart shall be approved by the Brunei DCA and specified in the operations manual.

(b) After a cabin crew member has successfully completed a training course and the associated check, the operator shall:

(1) update the cabin crew member's training records in accordance with ORO.MLR.115; and

(2) provide him/her with a list showing updated validity periods as relevant to the aircraft type(s) and variant(s) on which the cabin crew member is qualified to operate.

ORO.CC.250 Operation on more than one aircraft type or variant

(a) A cabin crew member shall not be assigned to operate on more than three aircraft types, except that, with the approval of the Brunei DCA, the cabin crew member may be assigned to operate on four aircraft types if for at least two of the types:

(1) safety and emergency equipment and type-specific normal and emergency procedures are similar; and

(2) non-type-specific normal and emergency procedures are identical.

(b) For the purpose of (a) and for cabin crew training and qualifications, the operator shall determine:

(1) each aircraft as a type or a variant taking into account, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Part 21 for the relevant aircraft type or variant; and'.

(2) variants of an aircraft type to be different types if they are not similar in the following aspects:

(i) emergency exit operation.

(ii) location and type of portable safety and emergency equipment.

(iii) type-specific emergency procedures.

ORO.CC.255 Single cabin crew member operations

(a) The operator shall select, recruit, train and check the proficiency of cabin crew members to be assigned to single cabin crew member operations according to criteria appropriate to this type of operation.

(b) Cabin crew members who have no previous operating experience as single cabin crew member shall only be assigned to such type of operation after they have:

(1) completed training as required in (c) in addition to other applicable training and checking required by this Subpart.

(2) successfully passed the checks verifying their proficiency in discharging their duties and responsibilities in accordance with the procedures specified in the operations manual; and

(3) undertaken familiarisation flying of at least 20 hours and 15 sectors on the relevant aircraft type under the supervision of an appropriately experienced cabin crew member.

(c) The following additional training elements shall be covered with particular emphasis to reflect single cabin crew operations:

(1) responsibility to the commander for the conduct of normal and emergency procedures.

(2) importance of coordination and communication with the flight crew, in particular when managing unruly or disruptive passengers.

(3) review of operator requirements and legal requirements.

(4) documentation.

(5) accident and incident reporting; and

(6) flight and duty time limitations and rest requirements.

Subpart TC - Technical Crew in HEMS, HHO or NVIS Operations

ORO.TC.100 Scope

This Subpart establishes the requirements to be met by an air operator when operating an aircraft with technical crew members in commercial air transport helicopter emergency medical service (HEMS) operations, emergency medical service operations with VCA (VEMS), night-vision imaging system (NVIS) operations, or helicopter hoist operations (HHO).

ORO.TC.105 Conditions for assignment to duties

(a) Technical crew members involved in commercial air transport HEMS, VEMS, HHO or NVIS operations shall only be assigned duties provided they:

(1) are at least 18 years of age;

(2) are physically and mentally fit to safely discharge their assigned duties and responsibilities;

(3) have completed all applicable training required by this Subpart to perform their assigned duties;

(4) have been checked and found to be proficient to perform all their assigned duties in accordance with the procedures specified in the operations manual.

(b) Before assigning to duties technical crew members who are self-employed and/or working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart are complied with, taking into account all services rendered by the technical crew member to other operator(s) to determine in particular:

(1) the total number of aircraft types and variants operated.

(2) the applicable flight and duty time limitations and rest requirements.

ORO.TC.110 Training and checking

(a) The operator shall establish a training programme in accordance with the applicable requirements of this Subpart to cover the duties and responsibilities to be performed by technical crew members.

(b) Following the completion of initial, operator conversion, and differences training, and following any required familiarisation flights, each technical crew member shall undergo a check to demonstrate their proficiency in carrying out normal and emergency procedures.

(c) Training and checking shall be conducted for each training course by personnel suitably qualified and experienced in the subject to be covered. The operator shall inform the Brunei DCA about the personnel conducting the checks.

(d) The checks that follow the operator conversion training and any required familiarisation flights shall take place prior to operating as a required technical crew member in HEMS, VEMS, HHO or NVIS operations.

(e) The validity of the technical crew member's check to demonstrate their proficiency in carrying out normal and emergency procedures shall be 12 calendar months.

ORO.TC.115 Initial training

Before undertaking the operator conversion training, each technical crew member shall complete initial training, including:

(a) general theoretical knowledge on aviation and aviation regulations and requirements covering all elements relevant to the duties and responsibilities required of technical crew.

(b) fire and smoke training.

(c) survival training on ground and in water, appropriate to the type and area of operation.

(d) aero-medical aspects and first-aid.

(e) communication and relevant CRM elements of ORO.FC.115 and ORO.FC.215.

ORO.TC.120 Operator conversion training

Each technical crew member shall complete:

(a) operator conversion training, including relevant CRM elements,

(1) before being first assigned by the operator as a technical crew member; or

(2) when changing to a different aircraft type or class, if any of the equipment or procedures mentioned in (b) are different.

(b) The operator conversion training shall include:

(1) the location and use of all safety and survival equipment carried on the aircraft

(2) all normal and emergency procedures.

(3) on-board equipment used to perform duties in the aircraft or on the ground for the purpose of assisting the pilot during HEMS, VEMS, HHO or NVIS operations.

ORO.TC.125 Differences training

(a) Each technical crew member shall complete differences training when changing equipment or procedures on types or variants currently operated.

(b) The operator shall specify in the operations manual when such differences training is required.

ORO.TC.130 Familiarisation flights

If the operator conversion training does not include training in an aircraft/FSTD, each technical crew member shall undertake familiarisation flights.

ORO.TC.135 Recurrent training

(a) Within every 12-month period, each technical crew member shall undergo recurrent training relevant to the type or class of aircraft and equipment that the technical crew member operates. Elements of CRM shall be integrated into all appropriate phases of the recurrent training.

(b) Recurrent training shall include theoretical and practical instruction and practice.

ORO.TC.140 Refresher training

(a) Each technical crew member who has not undertaken duties in the previous six months shall complete the refresher training specified in the operations manual.

(b) The technical crew member who has not performed flying duties on one particular aircraft type or class during the preceding six months shall, before being assigned on that type or class, complete either:

(1) refresher training on the type or class; or

(2) two familiarisation sectors on the aircraft type or class.

Subpart FTL - Flight and Duty Time Limitations and Rest Requirements

Section 1 - General

ORO.FTL.100 Scope

This Subpart establishes the requirements to be met by an air operator and its flight and cabin crew (aircrew) members with regard to flight and duty time limitations and rest requirements for aircrew assigned to commercial air transport (CAT) operations with aeroplanes.

ORO.FTL.105 Definitions

For the purpose of this Subpart, the following definitions shall apply:

(1) 'acclimatised' means a state in which a crew member's circadian biological clock is synchronised to the time zone where the crew member is. A crew member is considered to be acclimatised to a 2-hour wide time zone surrounding the local time at the point of departure. 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 Table 1.

Table 1

Time difference (h) between reference time and local time where the crew member starts the next duty	**Time elapsed since reporting at reference time**				
	<48	**48-71:59**	**723-95:59**	**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

'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.

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

(3) '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;

(4) 'suitable accommodation' means, for the purpose of standby, split duty and rest, a separate room for each crew member located in a quiet environment and equipped with a bed, which issufficiently ventilated, has a device for regulating temperature and light intensity, and access to food and drink;

(5) 'augmented flight crew' means a flight crew which comprises more than the minimum number required to operate the aircraft, allowing each flight crew member to leave the assigned post, for the purpose of in-flight rest, and to be replaced by another appropriately qualified flight crew member;

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

(7) 'delayed reporting' means the postponement of a scheduled FDP by the operator before a crew member has left the place of rest;

(8) 'disruptive schedule' means a crew member's roster which disrupts the sleep opportunity during the optimal sleep time window by comprising an FDP or a combination of FDPs which encroach, start or finish during any portion of the day or of the night where a crew member is acclimatised. A schedule may be disruptive due to early starts, late finishes or night duties.

(a) 'early type' of disruptive schedule means:

(i) for 'early start' a duty period starting in the period between 05:00 and 05:59 in the time zone to which a crew member is acclimatised, and

(ii) for 'late finish' a duty period finishing in the period between 23:00 and 01:59 in the time zone to which a crew member is acclimatised;

(b) 'late type' of disruptive schedule means:

(i) for 'early start' a duty period starting in the period between 05:00 and 06:59 in the time zone to which a crew member is acclimatised; and

(ii) for 'late finish' a duty period finishing in the period between 00:00 and 01:59 in the time zone to which a crew member is acclimatised;

(9) 'night duty' means a duty period encroaching any portion of the period between 02:00 and 04:59 in the time zone to which the crew is acclimatised;

(10) 'duty' means any task that a crew member performs for the operator, including flight duty, administrative work, giving or receiving training and checking, positioning, and some elements of standby;

(11) 'duty period' means a period which starts when a crew member is required by an operator to report for or to commence a duty and ends when that person is free of all duties, including postflight duty;

(12) 'flight duty period ('FDP')' means a period that commences when a crew member is required to report for duty, which includes a sector or a series of sectors, and finishes when the aircraft finally comes to rest and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member;

(13) "flight time" means, for aeroplanes, the time between an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and all engines or propellers are shut down.

(14) 'home base' means the location, assigned by the operator to the crew member, from where the crew member normally starts and ends a duty period or a series of duty periods and where, under normal circumstances, the operator is not responsible for the accommodation of the crew member concerned;

(15) 'local day' means a 24-hour period commencing at 00:00 local time;

(16) 'local night' means a period of 8 hours falling between 22:00 and 08:00 local time;

(17) 'operating crew member' means a crew member carrying out duties in an aircraft during a sector;

(18) 'positioning' means the transferring of a non-operating crew member from one place to another, at the behest of the operator, excluding: – the time of travel from a private place of rest to the designated reporting place at home base and vice versa, and – the time for local transfer from a place of rest to the commencement of duty and vice versa;

(19) 'rest facility' means a bunk or seat with leg and foot support suitable for crew members' sleeping on board an aircraft.

(20) 'reserve' means a period of time during which a crew member is required by the operator to be available to receive an assignment for an FDP, positioning or other duty notified at least 10 hours in advance.

(21) 'rest period' means a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which a crew member is free of all duties, standby and reserve.

(22) 'rotation' is a duty or a series of duties, including at least one flight duty, and rest periods out of home base, starting at home base and ending when returning to home base for a rest period where the operator is no longer responsible for the accommodation of the crew member.

(23) 'single day free of duty' means, for the purpose of complying with the provisions of Council Directive 2000/79/EC, a time free of all duties and standby consisting of one day and two local nights, which is notified in advance. A rest period may be included as part of the single day free of duty.

(24) ‘sector’ means the segment of an FDP between an aircraft first moving for the purpose of taking off until it comes to rest after landing on the designated parking position.

(25) ‘standby’ means a pre-notified and defined period of time during which a crew member is required by the operator to be available to receive an assignment for a flight, positioning or other duty without an intervening rest period.

(26) ‘airport standby’ means a standby performed at the airport;

(27) ‘other standby’ means a standby either at home or in a suitable accommodation;

(28) ‘window of circadian low ('WOCL') means the period between 02:00 and 05:59 hours in the time zone to which a crew member is acclimatised.

ORO.FTL.110 Operator responsibilities

An operator shall:

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

(b) ensure that flight 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 flight 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/work pattern, such as alternating day/night duties;

(f) comply with the provisions concerning disruptive schedules in accordance with ARO.OPS.230;

(g) 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 flight duty period;

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

(i) plan flight duties in order to be completed within the allowable flight duty period taking into account the time necessary for pre-flight duties, the sector and turnaround times;

(j) change a schedule and/or crew arrangements if the actual operation exceeds the maximum flight duty period on more than 33% of the flight duties in that schedule during a scheduled seasonal period.

ORO.FTL.115 Crew member responsibilities

A crew member shall:

(a) comply with BAR 6 Part CAT.GEN.MPA.100(b)

(b) make optimum use of the opportunities and facilities for rest provided and plan and use their rest periods properly.

ORO.FTL.120 Fatigue risk management (FRM)

(a) When FRM is required by this Subpart or an applicable certification specification, the operator shall establish, implement and maintain a FRM as an integral part of its management system. The FRM shall ensure compliance with the essential requirements in points 7.f., 7.g. and 8.f. of Annex IV to Regulation (EC) No 216/2008. The FRM shall be described in the operations manual.

(b) The FRM established, implemented and maintained shall provide for continuous improvement to the overall performance of the FRM and shall include:

(1) a description of the philosophy and principles of the operator with regard to FRM, referred to as the FRM policy;

(2) documentation of the FRM processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;

(3) scientific principles and knowledge;

(4) a hazard identification and risk assessment process that allows managing the operational risk(s) of the operator arising from crew member fatigue on a continuous basis;

(5) a risk mitigation process that provides for remedial actions to be implemented promptly, which are necessary to effectively mitigate the operator's risk(s) arising from crew member fatigue and for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions;

(6) FRM safety assurance processes;

(7) FRM promotion processes.

(c) The FRM shall correspond to the flight time specification scheme, the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities and the applicable flight time specification scheme.

(d) The operator shall take mitigating actions when the FRM safety assurance process shows that the required safety performance is not maintained.

ORO.FTL.125 Flight time specification schemes

(a) Operators shall establish, implement and maintain flight time specification schemes that are appropriate for the type(s) of operation performed and that comply with Civil Aviation Regulation and this Subpart.

(b) Before being implemented, flight time specification schemes, including any related FRM where required, shall be approved by the Brunei DCA.

(c) To demonstrate compliance with Civil Aviation Regulations and this Subpart, the operator shall apply the applicable certification specifications adopted by the Brunei DCA. Alternatively, if the operator wants to deviate from those certification specifications, it shall provide the Brunei DCA with a full description of the intended deviation prior to implementing it. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the requirements of Civil Aviation Regulations and of this Subpart are met.

(d) For the purpose of point ARO.OPS.235(d), within 2 years of the implementation of a deviation or derogation, the operator shall collect data concerning the granted deviation or derogation and analyse that data using scientific principles with a view to assessing the effects of the deviation or derogation on aircrew fatigue. Such analysis shall be provided in the form of a report to the Brunei DCA.

SECTION 2 - Commercial Air Transport Operators

ORO.FTL.200 Home base

An operator shall assign a home base to each crew member.

ORO.FTL.205 Flight duty period (FDP)

(a) The operator shall:

(1) define reporting times appropriate to each individual operation taking into account ORO.FTL.110(c);

(2) establish procedures specifying how the commander shall, in case of special circumstances which could lead to severe fatigue, and after consultation with the crew members concerned, reduce the actual FDP and/or increase the rest period in order to eliminate any detrimental effect on flight safety.

(b) Basic maximum daily FDP.

(1) The maximum daily FDP without the use of extensions for acclimatised crew members shall be in accordance with the following table:

Table *2*
Maximum daily FDP — Acclimatised crew members

Start of FDP at reference time	1–2 Sectors	3 Sectors	4 Sectors	5 Sectors	6 Sectors	7 Sectors	8 Sectors	9 Sectors	10 Sectors
0600-1329	13:00	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00
1330-1359	12:45	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00
1400-1429	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00
1430-1459	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00
1500-1529	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00
1530-1559	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00	09:00
1600-1629	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00	09:00
1630-1659	11:15	10:45	10:15	09:45	09:15	09:00	09:00	09:00	09:00
1700-0459	11:00	10:30	10:00	09:30	09:00	09:00	09:00	09:00	09:00
0500-0514	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00
0515-0529	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00
0530-0544	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00
0545-0559	12:45	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00

(2) The maximum daily FDP when crew members are in an unknown state of acclimatization shall be in accordance with the following table

Table 3
Crew members in an unknown state of acclimatization

Maximum daily FDP according to sectors						
1-2	3	4	5	6	7	8
11:00	10:30	10:00	09:30	09:00	09:00	09:00

(3) The maximum daily FDP when crew members are in an unknown state of acclimatization and the operator has implemented a FRM, shall be in accordance with the following table:

Table 4
Crew members in an unknown state of acclimatisation under FRM

The values in the following table may apply provided the operator's FRM continuously monitors that the required safety performance is maintained.

Maximum daily FDP according to sectors						
1-2	3	4	5	6	7	8
12:00	11:30	11:00	10:30	10:00	09:30	09:00

(c) FDP with different reporting time for flight crew and cabin crew.

Whenever cabin crew requires more time than the flight crew for their pre-flight briefing for the same sector or series of sectors, the FDP of the cabin crew may be extended by the difference in reporting time between the cabin crew and the flight crew. The difference shall not exceed 1 hour. The maximum daily FDP for cabin crew shall be based on the time at which the flight crew report for their FDP, but the FDP shall start at the reporting time of the cabin crew.

(d) Maximum daily FDP for acclimatised crew members with the use of extensions without in-flight rest.

(1) The maximum daily FDP may be extended by up to 1 hour not more than twice in any 7 consecutive days. In that case:

(i) the minimum pre-flight and post-flight rest periods shall be increased by 2 hours;

or

(ii) the post-flight rest period shall be increased by 4 hours.

(2) When extensions are used for consecutive FDPs, the additional pre- and post-flight rest between the two extended FDPs required under subparagraph 1 shall be provided consecutively.

(3) The use of the extension shall be planned in advance, and shall be limited to a maximum of:

(i) 5 sectors when the WOCL is not encroached; or

(ii) 4 sectors, when the WOCL is encroached by 2 hours or less; or

(iii) 2 sectors, when the WOCL is encroached by more than 2 hours.

(4) Extension of the maximum basic daily FDP without in-flight rest shall not be combined with extensions due to in-flight rest or split duty in the same duty period.

(5) Flight time specification schemes shall specify the limits for extensions of the maximum basic daily FDP in accordance with the certification specifications applicable to the type of operation, taking into account:

(i) the number of sectors flown; and

(ii) WOCL encroachment.

(e) Maximum daily FDP with the use of extensions due to in-flight rest

Flight time specification schemes shall specify the conditions for extensions of the maximum basic daily FDP with in-flight rest in accordance with the certification specifications applicable to the type of operation, taking into account:

(i) the number of sectors flown;

(ii) the minimum in-flight rest allocated to each crew member;

(iii) the type of in-flight rest facilities; and

(iv) the augmentation of the basic flight crew.

(f) Unforeseen circumstances in flight operations — commander's discretion

(1) The conditions to modify the limits on flight duty, duty and rest periods by the commander in the case of unforeseen circumstances in flight operations, which start at or after the reporting time, shall comply with the following:

(i) the maximum daily FDP which results after applying points (b) and (e) of point ORO.FTL.205 or point ORO.FTL.220 may not be increased by more than 2 hours unless the flight crew has been augmented, in which case the maximum flight duty period may be increased by not more than 3 hours;

(ii) if on the final sector within an FDP the allowed increase is exceeded because of unforeseen circumstances after take-off, the flight may continue to the planned destination or alternate aerodrome; and

(iii) the rest period following the FDP may be reduced but can never be less than 10 hours.

(2) In case of unforeseen circumstances which could lead to severe fatigue, the commander shall reduce the actual flight duty period and/or increase the rest period in order to eliminate any detrimental effect on flight safety.

(3) The commander shall consult all crew members on their alertness levels before deciding the modifications under subparagraphs 1 and 2.

(4) The commander shall submit a report to the operator when an FDP is increased or a rest period is reduced at his or her discretion.

(5) Where the increase of an FDP or reduction of a rest period exceeds 1 hour, a copy of the report, to which the operator shall add its comments, shall be sent by the operator to the Brunei DCA not later than 28 days after the event.

(6) The operator shall implement a non-punitive process for the use of the discretion described under this provision and shall describe it in the operations manual.

(g) Unforeseen circumstances in flight operations — delayed reporting

The operator shall establish procedures, in the operations manual, for delayed reporting in the event of unforeseen circumstances, in accordance with the certification specifications applicable to the type of operation.

ORO.FTL.210 Flight times and duty periods

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

(1) 60 duty hours in any 7 consecutive days;

(2) 110 duty hours in any 14 consecutive days; and

(3) 190 duty hours in any 28 consecutive days, spread as evenly as practicable throughout that period.

(b) The total flight time of the sectors on which an individual crew member is assigned as an operating crew member shall not exceed:

(1) 100 hours of flight time in any 28 consecutive days;

(2) 900 hours of flight time in any calendar year; and

(3) 1 000 hours of flight time in any 12 consecutive calendar months.

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

ORO.FTL.215 Positioning

If an operator positions a crew member, the following shall apply:

(a) positioning after reporting but prior to operating shall be counted as FDP but shall not count as a sector;

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

ORO.FTL.220 Split duty

The conditions for extending the basic maximum daily FDP due to a break on the ground shall be in accordance with the following:

(a) flight time specification schemes shall specify the following elements for split duty in accordance with the certification specifications applicable to the type of operation:

(1) the minimum duration of a break on the ground; and

(2) the possibility to extend the FDP prescribed under point ORO.FTL.205(b) taking into account the duration of the break on the ground, the facilities provided to the crew member to rest and other relevant factors;

(b) the break on the ground shall count in full as FDP;

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

ORO.FTL.225 Standby and duties at the airport

If an operator assigns crew members to standby or to any duty at the airport, the following shall apply in accordance with the certification specifications applicable to the type of operation:

(a) standby and any duty at the airport shall be in the roster and the start and end time of standby shall be defined and notified in advance to the crew members concerned to provide them with the opportunity to plan adequate rest;

(b) a crew member is considered on airport standby from reporting at the reporting point until the end of the notified airport standby period;

(c) airport standby shall count in full as duty period for the purpose of points ORO.FTL.210 and ORO.FTL.235;

(d) any duty at the airport shall count in full as duty period and the FDP shall count in full from the airport duty reporting time;

(e) the operator shall provide accommodation to the crew member on airport standby;

(f) flight time specification schemes shall specify the following elements:

(1) the maximum duration of any standby;

(2) the impact of the time spent on standby on the maximum FDP that may be assigned, taking into account facilities provided to the crew member to rest, and other relevant factors such as:

– the need for immediate readiness of the crew member,

– the interference of standby with sleep, and

– sufficient notification to protect a sleep opportunity between the call for duty and the assigned FDP;

(3) the minimum rest period following standby which does not lead to assignment of an FDP;

(4) how time spent on standby other than airport standby shall be counted for the purpose of cumulative duty periods.

ORO.FTL.230 Reserve

If an operator assigns crew members to reserve, the following requirements shall apply in accordance with the certification specifications applicable to the type of operation:

(a) reserve shall be in the roster;

(b) flight time specification schemes shall specify the following elements:

(1) the maximum duration of any single reserve period;

(2) the number of consecutive reserve days that may be assigned to a crew member.

ORO.FTL.235 Rest periods

(a) Minimum rest period at home base.

(1) The minimum rest period provided before undertaking an FDP starting at home base shall be at least as long as the preceding duty period, or 12 hours, whichever is greater.

(2) By way of derogation from point (1), the minimum rest provided under point (b) applies if the operator provides suitable accommodation to the crew member at home base.

(b) Minimum rest period away from home base.

The minimum rest period provided before undertaking an FDP starting away from home base shall be at least as long as the preceding duty period, or 10 hours, whichever is greater. This period shall include an 8-hour sleep opportunity in addition to the time for travelling and physiological needs.

(c) Reduced rest

By derogation from points (a) and (b), flight time specification schemes may reduce the minimum rest periods in accordance with the certification specifications applicable to the type of operation and taking into account the following elements:

(1) the minimum reduced rest period;

(2) the increase of the subsequent rest period; and

(3) the reduction of the FDP following the reduced rest.

(d) Recurrent extended recovery rest periods

Flight time specification schemes shall specify recurrent extended recovery rest periods to compensate for cumulative fatigue. The minimum recurrent extended recovery rest period shall be 36 hours, including 2 local nights, and in any case the time between the end of one recurrent extended recovery rest period and the start of the next extended recovery rest period shall not be more than 168 hours. The recurrent extended recovery rest period shall be increased to 2 local days twice every month.

(e) Flight time specification schemes shall specify additional rest periods in accordance with the applicable certification specifications to compensate for:

(1) the effects of time zone differences and extensions of the FDP;

(2) additional cumulative fatigue due to disruptive schedules; and

(3) a change of home base.

ORO.FTL.240 Nutrition

(a) During the FDP there shall be the opportunity for a meal and drink in order to avoid any detriment to a crew member's performance, especially when the FDP exceeds 6 hours.

(b) An operator shall specify in its operations manual how the crew member's nutrition during FDP is ensured.

ORO.FTL.245 Records of home base, flight times, duty and rest periods

(a) An operator shall maintain, for a period of 24 months:

(1) individual records for each crew member including:

(i) flight times;

(ii) start, duration and end of each duty period and FDP;

(iii) rest periods and days free of all duties; and

(iv) assigned home base;

(2) reports on extended flight duty periods and reduced rest periods.

(b) Upon request, the operator shall provide copies of individual records of flight times, duty periods and rest periods to:

(1) the crew member concerned; and

(2) to another operator, in relation to a crew member who is or becomes a crew member of the operator concerned.

(c) Records referred to in point CAT.GEN.MPA.100(b)(5) in relation to crew members who undertake duties for more than one operator shall be kept for a period of 24 months.

ORO.FTL.250 Fatigue management training

(a) The operator shall provide initial and recurrent fatigue management training to crew members, personnel responsible for preparation and maintenance of crew rosters and management personnel concerned.

(b) This training shall follow a training programme established by the operator and described in the operations manual. The training syllabus shall cover the possible causes and effects of fatigue and fatigue countermeasure.

CERTIFICATION SPECIFICATIONS

AND GUIDANCE MATERIAL

FOR COMMERCIAL AIR TRANSPORT BY AEROPLANE

— SCHEDULED AND CHARTER OPERATIONS

CS FTL.1.100 Applicability

These Certification Specifications are applicable to commercial air transport by aeroplanes for scheduled and charter operations, excluding emergency medical service (EMS), air taxi and single pilot operations.

CS FTL.1.200 Home base

(a) The home base is a single airport location assigned with a high degree of permanence.

(b) In the case of a change of home base, the first recurrent extended recovery rest period prior to starting duty at the new home base is increased to 72 hours, including 3 local nights. Travelling time between the former home base and the new home base is positioning.

CS FTL.1.205 Flight duty period (FDP)

(a) Night duties under the provisions of ORO.FTL.205(b) and (d) comply with the following:

(1) When establishing the maximum FDP for consecutive night duties, the number of sectors is limited to 4 sectors per duty.

(2) The operator applies appropriate fatigue risk management to actively manage the fatiguing effect of night duties of more than 10 hours in relation to the surrounding duties and rest periods.

(b) Extension of FDP without in-flight rest

The extension of FDP without in-flight rest under the provisions of ORO.FTL.205(d)(5) is limited to the values specified in the table below.

Maximum daily FDP with extension

Starting time of FDP	1–2 sectors (in hours)	3 sectors (in hours)	4 sectors (in hours)	5 sectors (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
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

(c) Extension of FDP due to in-flight rest

In-flight rest facilities in accordance with ORO.FTL.205(e)(iii) fulfil the following minimum standards:

— 'Class 1 rest facility' means a bunk or other surface that allows for a flat or near flat sleeping position. It reclines to at least 80° back angle to the vertical and is located separately from both the flight crew compartment and the passenger cabin in an area that allows the crew member to control light, and provides isolation from noise and disturbance;

— 'Class 2 rest facility' means a seat in an aircraft cabin that reclines at least 45° back angle to the vertical, has at least a pitch of 55 inches (137,5 cm), a seat width of at least 20 inches (50 cm) and provides leg and foot support. It is separated from passengers by at least a curtain to provide darkness and some sound mitigation, and is reasonably free from disturbance by passengers or crew members;

— 'Class 3 rest facility' means a seat in an aircraft cabin or flight crew compartment that reclines at least 40° from the vertical, provides leg and foot support and is separated from passengers by at least a curtain to provide darkness and some sound mitigation, and is not adjacent to any seat occupied by passengers.

(1) The extension of FDP with in-flight rest under the provisions of ORO.FTL.205(e) complies with the following:

(i) the FDP is limited to 3 sectors; and

(ii) the minimum in-flight rest period is a consecutive 90-minute period for each crew member and 2 consecutive hours for the flight crew members at control during landing.

(2) The maximum daily FDP under the provisions of ORO.FTL.205 (e) may be extended due to in-flight rest for flight crew:

(i) with one additional flight crew member:

(A) up to 14 hours with class 3 rest facilities;

(B) up to 15 hours with class 2 rest facilities; or

(C) up to 16 hours with class 1 rest facilities;

(ii) with two additional flight crew members:

(A) up to 15 hours with class 3 rest facilities;

(B) up to 16 hours with class 2 rest facilities; or

(C) up to 17 hours with class 1 rest facilities.

(3) The minimum in-flight rest for each cabin crew member is:

Maximum extended FDP	Minimum in-flight rest (in hours)		
	Class 1	Class 2	Class 3
up to 14:30 hrs	1:30	1:30	1:30

14:31 – 15:00 hrs	1:45	2:00	2:20
15:01 – 15:30 hrs	2:00	2:20	2:40
15:31 – 16:00 hrs	2:15	2:40	3:00
16:01 – 16:30 hrs	2:35	3:00	Not allowed
16:31 – 17:00 hrs	3:00	3:25	Not allowed
17:01 – 17:30 hrs	3:25	Not allowed	Not allowed
17:31 – 18:00 hrs	3:50	Not allowed	Not allowed

(4) The limits specified in (2) may be increased by 1 hour for FDPs that include 1 sector of more than 9 hours of continuous flight time and a maximum of 2 sectors.

(5) All time spent in the rest facility is counted as FDP.

(6) The minimum rest at destination is at least as long as the preceding duty period, or 14 hours, whichever is greater.

(7) A crew member does not start a positioning sector to become part of this operating crew on the same flight.

(d) Unforeseen circumstances in flight operations — delayed reporting

(1) The operator may delay the reporting time in the event of unforeseen circumstances, if procedures for delayed reporting are established in the operations manual. The operator keeps records of delayed reporting. Delayed reporting procedures establish a notification time allowing a crew member to remain in his/her suitable accommodation when the delayed reporting procedure is activated. In such a case, if the crew member is informed of the delayed reporting time, the FDP is calculated as follows:

(i) one notification of a delay leads to the calculation of the maximum FDP according to (iii) or (iv);

(ii) if the reporting time is further amended, the FDP starts counting 1 hour after the second notification or at the original delayed reporting time if this is earlier;

(iii) when the delay is less than 4 hours, the maximum FDP is calculated based on the original reporting time and the FDP starts counting at the delayed reporting time;

(iv) when the delay is 4 hours or more, the maximum FDP is calculated based on the more limiting of the original or the delayed reporting time and the FDP starts counting at the delayed reporting time;

(v) as an exception to (i) and (ii), when the operator informs the crew member of a delay of 10 hours or more in reporting time and the crew member is not further disturbed by the operator, such delay of 10 hours or more counts as a rest period.

CS FTL.1.220 Split duty

The increase of limits on flight duty, under the provisions of ORO.FTL.220, complies with the following:

(a) The break on the ground within the FDP has a minimum duration of 3 consecutive hours.

(b) The break excludes the time allowed for post and pre-flight duties and travelling. The minimum total time for post and pre-flight duties and travelling is 30 minutes. The operator specifies the actual times in its operations manual.

(c) The maximum FDP specified in ORO.FTL.205(b) may be increased by up to 50 % of the break.

(d) Suitable accommodation is provided either for a break of 6 hours or more or for a break that encroaches the window of circadian low (WOCL).

(e) In all other cases:

(1) accommodation is provided; and

(2) any time of the actual break exceeding 6 hours or any time of the break that encroaches the WOCL does not count for the extension of the FDP.

(f) Split duty cannot be combined with in-flight rest.

CS FTL.1.225 Standby

The modification of limits on flight duty, duty and rest periods under the provisions of ORO.FTL.225 complies with the following:

(a) Airport standby

(1) If not leading to the assignment of an FDP, airport standby is followed by a rest period as specified in ORO.FTL.235.

(2) If an assigned FDP starts during airport standby, the following applies:

(i) the FDP counts from the start of the FDP. The maximum FDP is reduced by any time spent on standby in excess of 4 hours;

(ii) the maximum combined duration of airport standby and assigned FDP as specified in ORO.FTL.205(b) and (d) is 16 hours.

(b) Standby other than airport standby:

(1) the maximum duration of standby other than airport standby is 16 hours;

(2) The operator's standby procedures are designed to ensure that the combination of standby and FDP do not lead to more than 18 hours awake time;

(3) 25 % of time spent on standby other than airport standby counts as duty time for the purpose of ORO.FTL.210;

(4) standby is followed by a rest period in accordance with ORO.FTL.235;

(5) standby ceases when the crew member reports at the designated reporting point;

(6) if standby ceases within the first 6 hours, the maximum FDP counts from reporting;

(7) if standby ceases after the first 6 hours, the maximum FDP is reduced by the amount of standby time exceeding 6 hours;

(8) if the FDP is extended due to in-flight rest according to CS FTL.1.205(c), or to split duty according to CS FTL.1.220, the 6 hours of paragraph (6) and (7) are extended to 8 hours;

(9) if standby starts between 23:00 and 07:00, the time between 23:00 and 07:00 does not count towards the reduction of the FDP under (6), (7) and (8) until the crew member is contacted by the operator; and

(10) the response time between call and reporting time established by the operator allows the crew member to arrive from his/her place of rest to the designated reporting point within a reasonable time.

CS FTL.1.230 Reserve

The operator assigns duties to a crew member on reserve under the provisions of ORO.FTL.230 complying with the following:

(a) An assigned FDP counts from the reporting time.

(b) Reserve times do not count as duty period for the purpose of ORO.FTL.210 and ORO.FTL.235.

(c) The operator defines the maximum number of consecutive reserve days within the limits of ORO.FTL.235(d).

(d) To protect an 8-hour sleep opportunity, the operator rosters a period of 8 hours, taking into account fatigue management principles, for each reserve day during which a crew member on reserve is not contacted by the operator.

CS FTL.1.235 Rest periods

(a) Disruptive schedules

(1) If a transition from a late finish/night duty to an early start is planned at home base, the rest period between the 2 FDPs includes 1 local night.

(2) If a crew member performs 4 or more night duties, early starts or late finishes between 2 extended recovery rest periods as defined in ORO.FTL.235(d), the second extended recovery rest period is extended to 60 hours.

(b) Time zone differences

(1) For the purpose of ORO.FTL.235(e)(1), 'rotation' is a series of duties, including at least one flight duty, and rest period out of home base, starting at home base and ending when returning to home base for a rest period where the operator is no longer responsible for the accommodation of the crew member.

(2) The operator monitors rotations and combinations of rotations in terms of their effect on crew member fatigue, and adapts the rosters as necessary.

(3) Time zone differences are compensated by additional rest, as follows:

(i) At home base, if a rotation involves a 4 hour time difference or more, the minimum rest is as specified in the following table.

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

Maximum time difference (h) between reference time and local time where a crew member rests during a rotation	**Time elapsed (h) since reporting for the first FDP 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

(ii) Away from home base, if an FDP involves a 4-hour time difference or more, the minimum rest following that FDP is at least as long as the preceding duty period, or 14 hours, whichever is greater. By way of derogation from point (b)(3)(i) and only once between 2 recurrent extended recovery rest periods as specified in ORO.FTL.235(d), the minimum rest provided under this point (b)(3)(ii) may also apply to home base if the operator provides suitable accommodation to the crew member.

(4) In case of an Eastward-Westward or Westward-Eastward transition, at least 3 local nights of rest at home base are provided between alternating rotations.

(5) The monitoring of combinations of rotations is conducted under the operator's management system provisions.

(c) Reduced rest

(1) The minimum reduced rest periods under reduced rest arrangements are 12 hours at home base and 10 hours out of base.

(2) Reduced rest is used under fatigue risk management.

(3) The rest period following the reduced rest is extended by the difference between the minimum rest period specified in ORO.FTL.235(a) or (b) and the reduced rest.

(4) The FDP following the reduced rest is reduced by the difference between the minimum rest period specified in ORO.FTL.235(a) or (b) as applicable and the reduced rest.

(5) There is a maximum of 2 reduced rest periods between 2 recurrent extended recovery rest periods specified in accordance with ORO.FTL.235(d).

Appendix 1 – Declaration

DECLARATION

in accordance with Organisation Requirements for Air Operations

Operator

Name:

Place in which the operator has its principal place of business or, if the operator has no principal place of business, place in which the operator is established or residing and place from which the operations are directed:

Name and contact details of the accountable manager:

Aircraft operation

Starting date of operation/applicability date of the change:

Information on aircraft, operation and continuing airworthiness management organisation

Type(s) of aircraft, registration(s) and main base:

Aircraft MSN	Aircraft type	Aircraft registration	Main base	Type(s) of operation	Organisation responsible for the continuing airworthiness management

The operator shall obtain a prior approval (6) or specific approval (7) for certain operations before conducting such operations..

Where applicable, details of approvals held. Attach the list of specific approvals. Include:

— specific approvals granted by a third country, if applicable;

— name of operations conducted with operational credits (e.g. EFVS 200, SA CAT I, etc.).

Where applicable, details of specialised operations authorisation held (attach authorisation(s), if applicable).

Where applicable, list of alternative means of compliance (AltMoC) with references to the associated AMC they replace (attach AltMoC).

Statements

☐ The operator complies, and will continue to comply, with the essential requirements set out in Part SPA and the requirements set in BAR 6

☐ The management system documentation including the operations manual reflect the applicable requirements set out in Part-ORO, Part-NCC and Part-SPA. and all flights shall be made in accordance with the provisions of the operations manual as required by point ORO.GEN.110(b) of Part-ORO

☐ All aircraft operated shall hold:

- a valid certificate of airworthiness in accordance with Continuing Airworthiness Requirements or for aircraft registered in a third country, in accordance with ICAO Annex 8; and

- when used for SPO activities, a valid lease agreement as per ORO.SPO.100

☐ All flight crew members hold a licence in accordance with Part DEF as required by point ORO.FC.100(c) of Part ORO and cabin crew members shall where applicable, be trained in accordance with Subpart CC of Part ORO.
☐ (If applicable) The operator shall implement and demonstrate conformity to a recognised industry standard. Reference of the standard: Certification body: Date of the last conformity audit:
☐ The operator will notify to the Brunei DCA any changes in circumstances affecting its compliance with the essential requirements set out in Part SPA and with the requirements of BAR 6 as declared to the Brunei DCA through this declaration and any changes to the information and lists of AltMoC included in and annexed to this declaration, as required by point ORO.GEN.120(a) of Part ORO.
☐ The operator shall confirm that the information disclosed in this declaration is correct.
Date, name and signature of the accountable manager
(1) If there is not enough space to list the required information in the declaration, the information shall be listed in a separate annex. The annex shall be dated and signed. (2) Manufacturer serial number. (3) If the aircraft is also registered with an AOC holder, specify the AOC number of the AOC holder. (4) 'Type(s) of operation' refers to the type of operations conducted with this aircraft, e.g. non-commercial operations or specialised operations, e.g. aerial photography flights, aerial advertising flights, news media flights, television and movie flights, parachute operations, skydiving, maintenance check flights. (5) Information about the organisation responsible for the continuing airworthiness management shall include the name of the organisation, its address, and the approval reference. (6) (a) operations with any defective instrument or piece of equipment or item or function, under a minimum equipment list (MEL) (points ORO.MLR.105 (b), (f), and (j), NCC.IDE.A.105, NCC.IDE.H.105, SPO.IDE.A.105, and SPO.IDE.H.105). (b) Operations requiring prior authorisation or approval, including all of the following: — for specialised operations, wet lease-in and dry lease-in of aircraft registered in a third country (point ORO.SPO.100 (c)); — high-risk commercial specialised operations (point ORO.SPO.110); — non-commercial operations with aircraft with an MOPSC of more than 19, which are performed without an operating cabin crew member (point ORO.CC.100 (d)); — use of IFR operating minima that are lower than those published by the State (points NCC.OP.110 and SPO.OP.110); — refuelling with engine(s) and/or rotors turning (point NCC.OP.157); — specialised operations (SPO) without oxygen above 10 000 ft (point SPO.OP.195) (7) Operations in accordance with Part-SPA to BAR 6, including Subparts B 'Performance based navigation (PBN) operations', C 'Operations with specified minimum navigation performance (MNPS)', D 'Operations in airspace with reduced vertical separation minima (RVSM)', E 'Low-visibility operations (LVOs) and operations with operational credits', G 'Transport of dangerous goods', K 'Helicopter offshore operations' and N 'Helicopter point-in-space approaches and departures with reduced VFR minima'