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COMMISSION DELEGATED REGULATION (EU) 2026/1979

of 8 September 2026

amending Regulation (EU) No 965/2012 as regards the flight and duty time limitations and rest requirements for air taxi, emergency medical services and single-pilot operations

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ([1]), and in particular Article 32(1) thereof,

Whereas:

(1) Commission Regulation (EU) No 965/2012 ([2]) lays down technical requirements and administrative procedures related to air operations, including flight and duty time limitations and rest requirements (FTL) for commercial air transport (CAT) operators with aeroplanes used in scheduled and charter operations.

(2) When developing the FTL requirements for CAT operators under Regulation (EU) No 965/2012, it was decided to address FTL for air taxi, emergency medical service and single-pilot operations at a later stage to allow for the collection of scientific evidence on the factors affecting fatigue in those operations.

(3) In accordance with Article 8(2) of Regulation (EU) No 965/2012, the FTL for CAT operators of aeroplanes used for air taxi, emergency medical service (AEMS) and single-pilot operations are subject to the requirements set out in the national law referred to in Article 8(4) of Council Regulation (EEC) No 3922/91 ([3]) and in Subpart Q of Annex III to that Regulation. That derogation should remain valid until the new measures start to apply in accordance with this Regulation.

(4) The requirements of Subpart Q of Annex III to Regulation (EEC) No 3922/91 were developed for the purposes of scheduled and charter multi-crew operations. Yet, they also apply to on-demand air taxi, AEMS and single-pilot operations despite the differences between those operations and multi-crew operations, and the type of aircraft used. Equally, Subpart Q of Annex III to Regulation (EEC) No 3922/91 does not establish a maximum daily flight duty period for single-pilot and AEMS operations, and does not provide for standby, in-flight rest and split duty. Regulation (EU) No 965/2012 should therefore be amended to include adequate FTL for commercial air transport operations with aeroplanes for air taxi, AEMS and single-pilot operations.

([1]) OJ L 212, 22.8.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1139/oj.

([2]) Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/965/oj).

([3]) Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation (OJ L 373, 31.12.1991, p. 4, ELI: http://data.europa.eu/eli/reg/1991/3922/oj).

(5) The nature of a pilot's duties in aviation operations, such as air taxi and AEMS, differs significantly from that of a pilot in scheduled or charter operations as air taxi and AEMS pilots typically fly fewer but longer trips. Air taxi and AEMS operations require 24-hour activity that may involve shift work, night operations, irregular and unpredictable schedules, and frequent time zone changes. Therefore, a fair balance between prescriptive and performance-based rules should be established since applying similar rules designed for fundamentally different operating environments would run against the objective of ensuring a high and uniform level of civil aviation safety in the Union.

(6) Specific mitigation measures should be introduced in accordance with the risk-protection objectives set out in Article 4(2) of Regulation (EU) 2018/1139 to reflect the operational realities of the sector including the nature of air taxi and AEMS flights, which are not open to the general public, as well as the type and scale of operations, which are less complex and involve less complex aeroplanes than scheduled or chartered services. Each of those mitigation measures should be targeted and address identified fatigue risks arising from particular scheduling practices, duty periods or rest arrangements.

(7) To better address particular national considerations or operational practices, Member States should be allowed to derogate from certain provisions introduced by this Regulation or deviate from the related certification specifications by applying requirements whose level of safety is at least equivalent to the provisions of this Regulation. Any derogations or deviations from this Regulation should be notified and follow the rules under Article 71 and Article 76(7) of Regulation (EU) 2018/1139, which ensure transparent and non-discriminatory decisions based on objective criteria.

(8) To ensure a smooth transition from the currently applicable Subpart Q of Annex III to Regulation (EEC) No 3922/91 and the national regulations of the Member States, the operators and the competent authorities of the Member States should be provided with sufficient time to update their operational documents, implement appropriate software tools, and train relevant personnel to comply with the new measures. Accordingly, the date of application of this Regulation should be deferred.

(9) Points ARO.OPS.235 of Annex II and ORO.FTL.125 of Annex III to Regulation (EU) No 965/2012 should be updated to align with Regulation (EU) 2018/1139 and to remove obsolete references, without introducing any negative economic, social, or administrative impacts on aircrew members, operators, or competent authorities. To support national competent authorities in updating their approval procedures, those points should apply to scheduled and charter operations from the date of entry into force of this Regulation.

(10) While the existing regulatory framework already requires the competent authorities of the Member States to monitor and follow up on reported safety occurrences in civil aviation, to ensure the highest level of aviation safety and mitigate the risks associated with fatigue, it is important that implementation of the new rules is actively monitored by the Member States and the European Union Aviation Safety Agency ('the Agency'), which is empowered under Article 85(1) of Regulation (EU) 2018/1139 to conduct inspections and other monitoring activities with a view to ensure the uniform application of that Regulation and of the delegated and implementing acts adopted on its basis.

(11) The measures provided for in this Regulation are based on Opinion No 02/2026 ([4]) issued by the Agency in accordance with Article 76(1) of Regulation (EU) 2018/1139,

([4]) https://www.easa.europa.eu/en/document-library/opinions/opinion-no-022026.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 965/2012 is amended as follows:

(1) in Article 2, first paragraph, the following points (16), (17) and (18) are added:

'(16) "aeroplane emergency medical service (AEMS) flight" means a flight with an aeroplane where immediate and rapid transportation is essential and which has all the following characteristics:

(a) its purpose is to facilitate emergency medical assistance, by carrying one or more of the following:

(i) medical personnel;

(ii) medical supplies (equipment, blood, organs, drugs);

(iii) ill or injured persons and other persons directly involved;

(b) it includes sectors flown to position an aeroplane for the purpose of carrying persons referred to in points (a)(i) or (a)(iii), or medical supplies referred to in point (a)(ii), or to return the aeroplane to the AEMS operating base;

(17) "scheduled operation" means a series of flights having all the following characteristics:

(i) on each flight seats, or capacity to transport cargo or mail, are available for individual purchase by the public, either directly from the air carrier or from its authorised agents;

(ii) it is operated so as to serve traffic between the same two or more airports, in one of the following ways:

— according to a published timetable,

— with flights so regular or frequent that they constitute a recognisably systematic series;

(18) "'charter operation" means a non-scheduled on-demand CAT with an aeroplane with a MOPSC of 20 or more.';

(2) Article 8 is replaced by the following:

'*Article 8*

Flight time limitations

1. CAT operations with aeroplanes for the purpose of scheduled and charter operations shall be subject to the requirements of Subpart FTL (A) of Annex III. CAT operations with aeroplanes for the purpose of emergency medical service and air taxi operations shall be subject to the requirements of Subpart FTL (B) of Annex III.

2. As regards flight time limitations and rest requirements, CAT operations with helicopters shall comply with the requirements specified in the national law of the Member State in which the operator has its principal place of business.

3. As regards flight time limitations and rest requirements, non-commercial operations, including non-commercial specialised operations, with complex motor-powered aeroplanes and helicopters, as well as commercial specialised operations with aeroplanes and helicopters, shall comply with the requirements specified in the national law of the Member State in which the operator has its principal place of business or, where the operator has no principal place of business, the place where the operator is established or resides.

4. As regards flight time limitations, an IAM operator shall comply with the requirements specified in the national law of the Member State in which the operator has its principal place of business or, where the operator has no principal place of business, the place where the operator is established or resides.';

(3) in Article 9b, paragraph 1 is replaced by the following:

'1. The Agency and the competent authorities of the Member States shall monitor the effectiveness of the flight and duty time limitations and rest requirements laid down in this Regulation.';

(4) Annex II is amended in accordance with Annex I to this Regulation;

(5) Annex III is amended in accordance with Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 15 October 2028.

However, Annex I and point (4) of Annex II shall apply from 3 December 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 September 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

In Annex II (Part-ARO) to Regulation (EU) No 965/2012, point ARO.OPS.235 is replaced by the following:

'**ARO.OPS.235 Approval of individual flight time specification schemes (IFTSSs) of CAT operators of aeroplanes**

(a) The competent authority shall approve an individual flight time specification scheme (IFTSS) of a CAT operator of aeroplanes if it concludes that this IFTSS meets all the following conditions:

(1) it is appropriate for the type(s) of operation performed;

(2) it complies with the relevant essential requirements set out in Annex V to Regulation (EU) 2018/1139 and the relevant implementing rules of that Regulation;

(3) it is in accordance with the applicable certification specifications;

(4) it complies with other applicable national law deriving from the transposition of Directive 2000/79/EC.

(b) Whenever the competent authority intends to approve an IFTSS that deviates from the applicable certification specifications adopted by the Agency, it shall first seek the Agency's opinion in accordance with Article 76(7) of Regulation (EU) 2018/1139. The Agency shall provide its opinion within three months of receiving all necessary documentation from the competent authority.

(c) The competent authority and the operator concerned shall take into account the Agency's opinion adopted pursuant to Article 76(7) of Regulation (EU) 2018/1139. Before approving the IFTSS referred to in point (b), the competent authority shall ensure that the operator has assessed and mitigated the related fatigue risks to an acceptable level.

(d) After an initial period of application, an approved IFTSS that deviates from the applicable certification specifications adopted by the Agency shall be subject to an assessment to determine whether the deviations should be confirmed or amended. The competent authority and the Agency shall conduct an independent assessment based on information provided by the operator. The assessment shall be proportionate, transparent and based on scientific principles and knowledge.'

ANNEX II

Annex III (Part-ORO) to Regulation (EU) No 965/2012 is amended as follows:

(1) the title of Subpart FTL is replaced by the following:

'SUBPART FTL (A)

FLIGHT AND DUTY TIME LIMITATIONS AND REST REQUIREMENTS FOR SCHEDULED AND CHARTER OPERATIONS WITH AEROPLANES';

(2) point ORO.FTL.100 is replaced by the following:

'**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) with aeroplanes for the purposes of scheduled and charter operations.';

(3) point ORO.FTL.120 is replaced by the following:

'**ORO.FTL.120 Fatigue risk management system (FRMS)**

(a) When a fatigue risk management system (FRMS) is required by this Subpart or the applicable certification specifications, the operator shall establish, implement and maintain an FRMS as an integral part of its management system. The FRMS shall be described in a dedicated manual or in the operations manual.

(b) The FRMS shall provide for a continuous improvement to the overall effectiveness of the operator's fatigue risk management and shall include all the following elements:

(1) a description of all the following:

(i) the operator's philosophy, principles and responsibilities with regard to the FRMS, referred to as "the FRMS policy";

(ii) the involvement and responsibilities of management, aircrew and other personnel with regard to the FRMS;

(iii) the FRMS dedicated structures, including a fatigue safety action group (FSAG), and their roles;

(2) documentation of all FRMS processes, including a process for making aircrew and other personnel aware of their responsibilities, and the procedure for amending that documentation;

(3) scientific principles and knowledge;

(4) a hazard identification and risk assessment process that allows management of the operational risk(s) of the operator arising from aircrew members' 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 aircrew members' fatigue, and for continuous monitoring and regular assessment of the effectiveness of mitigation actions;

(6) the FRMS safety assurance processes;

(7) the FRMS promotion processes.

(c) The FRMS shall correspond to the operator's individual 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.

(d) The operator shall take mitigation actions when the FRMS safety assurance process shows that the required safety performance is not maintained.';

(4) point ORO.FTL.125 is replaced by the following:

'**ORO.FTL.125 Individual flight time specification schemes (IFTSSs) of scheduled and charter operators**

(a) The operator shall establish, implement and maintain an individual flight time specification scheme (IFTSS) that:

(1) is appropriate for the type(s) of operation performed;

(2) complies with the relevant essential requirements set out in Annex V to Regulation (EU) 2018/1139 and the relevant implementing rules of that Regulation;

(3) complies with other applicable legislation, including applicable national law deriving from the transposition of Directive 2000/79/EC.

(b) To demonstrate compliance with point (a), the operator shall apply the applicable certification specifications adopted by the Agency.

(1) Alternatively, if the operator intends to deviate from the applicable certification specifications, it shall submit to the competent authority, together with the application for an IFTSS approval, a safety case that includes all the following:

(i) a detailed description of the proposed deviation;

(ii) an assessment of the associated fatigue risks and the corresponding mitigation measures to ensure that the risk remains at an acceptable level;

(iii) any relevant amendments to manuals or procedures.

If the operator intends to deviate from the applicable certification specifications, it shall also demonstrate to the competent authority that it has duly taken into account the opinion of the Agency issued in accordance with Article 76(7) of Regulation (EU) 2018/1139.

(c) Before implementation, the IFTSS — including, where required, an FRMS or appropriate fatigue risk management (FRM) — shall be approved by the competent authority in accordance with point ARO.OPS.235 of Annex II (Part-ARO).

(d) For the purpose of the assessment referred to in point ARO.OPS.235(d) of Annex II (Part-ARO), within two years of implementing an IFTSS that deviates from the applicable certification specifications issued by the Agency, the operator shall collect data related to the approved deviation and analyse it using scientifically sound principles to assess its effects on aircrew fatigue. The results of that analysis shall be submitted to the competent authority in the form of a report.';

(5) in point ORO.FTL.205(b), the following points (4) and (5) are inserted:

'(4) The maximum basic daily FDP of an acclimatised aircrew member operating with a single-pilot flight crew shall be either one of the following:

(1) in accordance with the following table, provided that the flight time for each sector is limited to four hours with autopilot and to two hours without autopilot:

Table 5

Maximum basic daily FDP — acclimatised aircrew — single-pilot operations

Start of FDP at reference time	FDP duration in hours						
	Up to 4 sectors	5 sectors	6 sectors	7 sectors	8 sectors	9 sectors	10 or more sectors
0600–0659	10:00	09:15	08:45	08:15	08:00	08:00	08:00
0700–0759	10:30	09:45	09:15	08:45	08:15	08:00	08:00

Start of FDP at reference time	FDP duration in hours						
	Up to 4 sectors	5 sectors	6 sectors	7 sectors	8 sectors	9 sectors	10 or more sectors
0800–1259	11:00	10:15	09:45	09:15	08:45	08:15	08:00
1300–1429	10:30	09:45	09:15	08:45	08:15	08:00	08:00
1430–1659	10:00	09:15	08:45	08:15	08:00	08:00	08:00
1700–2159	09:00	08:15	08:00	08:00	08:00	08:00	08:00
2200–0359	08:00	08:00	08:00	08:00	08:00	08:00	08:00
0400–0559	09:00	08:15	08:00	08:00	08:00	08:00	08:00

(2) 10 hours, regardless of the number of sectors, provided that all the following conditions are met:

(A) the operation takes place entirely within the range of 0700 to 2159 hours;

(B) the operation is conducted in VFR conditions;

(C) the operations takes place between preselected aerodromes;

(D) the duration of each sector is one hour or less.

(5) The maximum basic daily FDP of an aircrew member in an unknown state of acclimatisation operating with a single-pilot flight crew shall be eight hours.';

(6) in point ORO.FTL.205(e), the title is replaced by the following:

'(e) Maximum daily FDP with the use of extensions due to in-flight rest in operations where the flight crew consists of minimum two pilots';

(7) in point ORO.FTL.205(f), the title is replaced by the following:

'(f) Unforeseen circumstances in flight operations where the flight crews consist of minimum two pilots — commander's discretion';

(8) in point ORO.FTL.205, the following point (fa) is inserted:

'(fa) Unforeseen circumstances in flight operations where the flight crew consists of a single pilot — commander's discretion

The commander may modify the limits on flight duty, duty and rest periods in the case of unforeseen circumstances, about which he or she has been informed at or after reporting, as follows:

(1) The maximum basic daily FDP of an aircrew member operating with a single-pilot flight crew, as specified in points ORO.FTL.205(b)(4) or (5), may be extended by up to one hour.

(2) If on the final sector within the FDP the allowed increase under point (1) is exceeded due to unforeseen circumstances after take-off, the flight may continue to the planned destination aerodrome or alternate aerodrome.

(3) The rest period away from home base preceding an FDP may be reduced but shall not be less than 10 hours.

(4) In the case of unforeseen circumstances which could lead to severe fatigue, the commander shall reduce the actual FDP or increase the rest period, or both, as necessary, to eliminate any detrimental effect on flight safety.

(5) The commander shall submit a report to the operator whenever an FDP is increased or a rest period is reduced at his or her discretion. Where the rest period reduction exceeds one hour, the operator shall submit a copy of the report, including its comments, to the competent authority within 28 days of the event.

(6) The operator shall implement a non-punitive policy regarding the exercise or non-exercise of the commander's discretion in unforeseen circumstances.';

(9) in point ORO.FTL.240, point (a) is replaced by the following:

'(a) During the FDP there shall be the opportunity for a meal and drink in order to avoid any detriment to an aircrew member's performance, especially when the FDP exceeds six hours, or five hours for single-pilot operations.';

(10) the following Subpart FTL (B) is added:

'SUBPART FTL (B)

FLIGHT AND DUTY TIME LIMITATIONS AND REST REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES AND AIR TAXI OPERATIONS WITH AEROPLANES

ORO.FTL.101 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) with aeroplanes for the purpose of AEMS and air taxi operations, including operations starting and returning to the same point (A-to-A).

ORO.FTL.106 Definitions

(a) For AEMS and air taxi operations, the terms defined in point ORO.FTL.105 shall apply, except those defined in points ORO.FTL.105(1), (2), (5) and (18).

(b) The following definitions shall apply in addition to point (a):

(1) "acclimatised" means a state in which an aircrew member's circadian biological clock is synchronised with a specific time zone — either the current time zone, where the aircrew member is physically located, or a previous time zone, to which they remain biologically adjusted due to insufficient time or rest to adapt to the current.

For the calculation of the maximum daily flight duty period the aircrew member is considered acclimatised to the home base time zone in the beginning of a rotation and thereafter in accordance with the values in Table 1a:

Table 1a

Difference (h) between the time zone of reference time (*) and the time zone where the next duty starts	Time (h) elapsed since reporting at reference time				
	< 48	48–71:59	72–95:59	96–119:59	120–143:59
≤ 2	D	D	D	D	D
> 2 and < 4	B	D	D	D	D
≥ 4 and ≤ 6	B	X	D	D	D

Difference (h) between the time zone of reference time (*) and the time zone where the next duty starts	Time (h) elapsed since reporting at reference time				
	< 48	48–71:59	72–95:59	96–119:59	120–143:59
> 6 and ≤ 9	B	X	X	D	D
> 9 and ≤ 12	B	X	X	X	D

(*) When, during a rotation, aircrew acclimatise to the time zone in which they commence their next duty, that time zone becomes the new time zone of reference time. The acclimatisation state for subsequent duties in the rotation is then determined in accordance with Table 1a, by replacing the original time zone of reference time with the new one.

"B" means that an aircrew member is acclimatised to the time zone of reference time.

"D" means that an aircrew member is acclimatised to the time zone where this aircrew member starts his or her next duty of the rotation.

"X" means that an aircrew member is in an unknown state of acclimatisation;

(2) "reference time" means either the local time at the reporting point at home base, where an aircrew member is considered acclimatised at the start of the rotation, or the local time at the reporting point at the last location, where an aircrew member became acclimatised during the rotation;

(3) "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 on-board rest while the aircraft is in the air and to be replaced by another appropriately qualified flight crew member;

(4) "eastward-westward or westward-eastward transition" means a transition through the time zone of the reference time (transition time zone) between a sequence of duties and layovers in an eastward pattern and a sequence of duties and layovers in a westward pattern or vice versa, each sequence involving a crossing of four or more time zones;

(5) "fatigue" means a physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase or workload (mental or physical activity, or both), or from a combination thereof, that can impair an aircrew member's alertness and ability to perform safety-related operational duties;

(6) "on-board rest" means, for the purpose of FDP extensions and standby, either of the following:

(1) a period of flight time in the cruise phase of the flight, during which an aircrew member operating with an augmented flight crew is temporary relieved from any tasks and is resting in an on-board rest facility that meets the required standard;

(2) a period of time while the aeroplane is on the ground, during which an aircrew member is temporary relieved from any tasks and is resting in an on-board rest facility that meets the required standard;

(7) "positioning" means either of the following:

(1) the transfer of a non-operating aircrew member from one place to another at the behest of the operator, excluding both the following:

— the time of travel from a private place of rest to the designated reporting place at home base and vice versa,

— the time for local transfer from a place of rest to the commencement of duty and vice versa;

(2) the operation of an aeroplane by an operating aircrew member, at the behest of the operator, on a non-commercial flight immediately before the first CAT sector or immediately after the last CAT sector;

(8) "split duty" means an FDP that includes a single break on the ground between operating flight sectors, which is of sufficient duration to permit an extension of the maximum basic daily FDP under specified conditions;

(9) "unforeseen operational circumstances" means unexpected conditions that could not reasonably have been predicted and accommodated, such as bad weather, equipment malfunction, air traffic control delay, which may result in necessary operational adjustments.

ORO.FTL.111 Operator responsibilities

The operator shall:

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

(b) establish a procedure and method for communication with aircrew members through which changes to duty rosters and rest periods are notified;

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

(d) establish and publish reporting and release times, taking into account the nature and complexity of the operation, to ensure that aircrew have sufficient time to complete all required pre-flight and post-flight duties and to record the actual reporting and release times;

(e) 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;

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

(g) comply with the provisions concerning disruptive schedules in accordance with point ARO.OPS.230 of Annex II (Part-ARO);

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

(i) plan recurrent extended recovery rest periods and notify aircrew members in advance;

(j) 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;

(k) monitor the operational robustness of rosters and adapt aircrew arrangements as necessary;

(l) implement fatigue risk management, supported either by the management system in accordance with point ORO.GEN.200, including appropriate FRM where required, or by an FRMS in accordance with point ORO.FTL.120, where required.

ORO.FTL.116 Aircrew responsibilities

(a) Aircrew shall comply with all the following obligations:

(1) comply with all flight and duty time limitations (FTL) and rest requirements applicable to their activities;

(2) when undertaking duties for more than one operator:

(1) maintain their individual records regarding flight and duty times and rest periods as referred to in the applicable FTL requirements;

(2) provide each operator with the data needed to schedule activities in accordance with the applicable FTL requirements;

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

(b) Aircrew shall not perform duties on an aircraft if they know or suspect that they are suffering from fatigue or feel otherwise unfit, to the extent that the safety of the flight may be compromised.

(c) Aircrew shall log in the operator's official documentation the actual reporting and release times of their daily duty.

ORO.FTL.126 Individual flight time specification schemes (IFTSSs) of AEMS and air taxi operators

(a) The operator shall establish, implement and maintain an individual flight time specification scheme (IFTSS) that:

(1) is appropriate for the type(s) of operation performed;

(2) complies with the relevant essential requirements set out in Annex V to Regulation (EU) 2018/1139 and the relevant implementing rules of that Regulation;

(3) complies with other applicable legislation, including applicable national law deriving from the transposition of Directive 2000/79/EC.

(b) To demonstrate compliance with point (a) the operator shall apply the applicable certification specifications adopted by the Agency.

Alternatively, if the operator intends to deviate from the applicable certification specifications, it shall submit to the competent authority, together with the application for an IFTSS approval, a safety case that includes all the following:

(1) a detailed description of the proposed deviation;

(2) an assessment of the associated fatigue risks and the corresponding mitigation measures to ensure that the risk remains at an acceptable level;

(3) any relevant amendments to manuals or procedures.

If the operator intends to deviate from the applicable certification specifications, it shall also demonstrate to the competent authority that it has duly taken into account the opinion of the Agency issued in accordance with Article 76(7) of Regulation (EU) 2018/1139.

(c) Before implementation, the IFTSS — including, where required, an FRMS or appropriate FRM — shall be approved by the competent authority in accordance with point ARO.OPS.235 of Annex II (Part-ARO).

(d) For the purpose of the assessment referred to in point ARO.OPS.235(d) of Annex II (Part-ARO), within two years of implementing an IFTSS that deviates from the applicable certification specifications issued by the Agency, the operator shall collect data related to the approved deviation and analyse it using scientifically sound principles to assess its effects on aircrew fatigue. The results of that analysis shall be submitted to the competent authority in the form of a report.

ORO.FTL.201 Home base

(a) The operator shall assign a home base to each aircrew member.

(b) The operator shall specify in its IFTSS the conditions for a home base change in accordance with the applicable certification specifications.

ORO.FTL.206 Flight duty period (FDP)

(a) The operator shall specify in its IFTSS the maximum basic daily FDP of acclimatised aircrew operating with a single-pilot or with two-pilot flight crew, in accordance with the applicable certification specifications. That maximum basic daily FDP shall, in all cases, account for the reporting time and the number of sectors flown and shall not exceed 13 hours. The operator may deviate from the applicable certification specifications if it has a functioning and effective FRMS in accordance with point ORO.FTL.120.

(b) The operator shall specify in its IFTSS the maximum basic daily FDP of aircrew in an unknown state of acclimatisation operating with a single-pilot or with two-pilot flight crew, in accordance with the applicable certification specifications. The maximum basic daily FDP of a two-pilot aircrew in an unknown state of acclimatisation may be extended, in accordance with the applicable certification specifications, provided that the operator has a functioning and effective FRMS in accordance with point ORO.FTL.120.

(c) The operator shall specify in its IFTSS the extended maximum daily FDP, without on-board rest, of acclimatised aircrew operating with a two-pilot flight crew, in accordance with the applicable certification specifications. The operator shall, in all cases, take account of the following:

(1) all extensions shall be planned in advance;

(2) maximum two extensions may be used in any seven consecutive days;

(3) each extension shall not be longer than one hour;

(4) the minimum pre-flight and post-flight rest periods shall be increased by two hours, or the post-flight rest period shall be increased by four hours; where extensions are used for consecutive FDPs, the additional pre- and post-flight rest between the two extended FDPs shall be provided consecutively;

(5) an extension without on-board rest shall not be combined with extensions due to on-board rest or split duty in the same duty period.

(d) The operator shall specify in its IFTSS the extended maximum daily FDP due to on-board rest in the air and augmentation of the minimum flight crew of two pilots, in accordance with the applicable certification specifications. The operator shall, in all cases, take account of the following:

(1) the level of augmentation of the minimum flight crew;

(2) the type and standard of the on-board rest facilities;

(3) the minimum on-board rest allocated to each aircrew member;

(4) the minimum on-board rest allocated to each flight crew member who will be at the controls for the final landing;

(5) the conditions under which an additional FDP extension may be applied, including when operating under an effective and functioning FRMS in accordance with point ORO.FTL.120.

(e) During an ongoing AEMS mission, the maximum basic daily FDP of acclimatised aircrew operating with a two-pilot flight crew, as specified in the applicable certification specifications, may be extended by up to two hours when required for mission completion. The operator shall include in its IFTSS the conditions for applying this extension, including how its use will be monitored and how associated effects on subsequent duties and rest periods will be mitigated.

(f) The operator shall specify in its IFTSS the conditions under which the commander may modify the limits on flight duty, duty and rest periods in the case of unforeseen operational circumstances, in accordance with the applicable certification specifications. The operator shall implement a non-punitive policy regarding the exercise or non-exercise of the commander's discretion in unforeseen operational circumstances.

(g) The operator shall specify in its IFTSS the procedure for delayed reporting, including the conditions under which it is activated, in accordance with the applicable certification specifications.

ORO.FTL.211 Flight times and duty periods

(a) The total duty periods to which an individual aircrew 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;

(3) 190 duty hours in any 28 consecutive days, spread as evenly as practicable throughout that period;

(4) 2 000 duty hours in any calendar year.

(b) By way of derogation from point (a)(1), the total duty hours in any 7 consecutive days may be exceeded by a maximum of 10 hours, provided that this exceedance is solely used for the purpose of positioning of a non-operating aircrew member back to his or her home base for the start of an extended recovery rest period, and the operator:

(1) performs a risk assessment to evaluate the fatigue impact of the exceedance, considering among other things the time of the day, the length and quality of prior rest, and the upcoming roster duty demands;

(2) plans adequate mitigation measures, including, but not limited to: limits on the frequency of exceedances within a specified period; the provision of a minimum 72-hour extended recovery rest period, including two local nights; and the continuous monitoring of the effectiveness of all fatigue safety risk controls and compliance;

(3) keeps records of the exceedances and the conditions under which they have been used;

(4) describes the terms of the exceedance in its IFTSS.

(c) By way of derogation from point (a)(1), in AEMS operations where the flight crew consists of two pilots, the total duty hours in any 7 consecutive days may be exceeded by a maximum of 30 hours provided that the operator:

(1) performs a risk assessment to evaluate the fatigue impact of the exceedance considering among other things the time of the day, the night duty exposure, the medical or patient-related task stress, and the upcoming roster duty demands;

(2) plans adequate mitigation measures, including, but not limited to: limits on the frequency of exceedances within a specified period; the provision of a minimum 72-hour extended recovery rest period, including two local nights; and the continuous monitoring of the effectiveness of all fatigue safety risk controls and compliance;

(3) keeps records of the exceedances and the conditions under which they have been used;

(4) describes the terms of the exceedance in its IFTSS.

(d) The total flight time of the sectors on which an individual aircrew member is assigned as an operating aircrew 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;

(3) 1 000 hours of flight time in any 12 consecutive calendar months.

(e) Post-flight duty shall count as duty period.

ORO.FTL.216 Positioning

(a) Positioning of a non-operating aircrew member after reporting but prior to operating, without an intervening rest period, shall be counted as FDP but shall not count as a sector.

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

(c) Positioning of an operating aircrew member on a non-commercial flight prior to or after operating one or more CAT flights, without an intervening rest period, shall count as FDP and as a sector.

(d) The operator shall specify in its IFTSS, in accordance with the applicable certification specifications, the impact on the maximum FDP of both the following:

(1) the duration of positioning of a non-operating aircrew member;

(2) the mode of transportation of a non-operating aircrew member.

ORO.FTL.221 Split duty

The conditions for extending the maximum basic daily FDP for aircrew operating with a two-pilot flight crew, due to a split-duty break on the ground, shall be in accordance with the following:

(a) the operator shall specify in its IFTSS the following elements for split duty in accordance with the applicable certification specifications:

(1) the minimum duration of a split-duty break on the ground;

(2) the FDP extension depending on the duration of a split-duty break;

(3) the rest facilities provided to the aircrew to rest taking into account the duration of the split-duty break and other relevant factors;

(4) the possibility for a split-duty extension after the start of the FDP;

(b) the split-duty break on the ground shall count in full as FDP;

(c) split duty shall not be assigned prior to or following reduced rest in accordance with point ORO.FTL.236(c).

ORO.FTL.226 Standby and duties at the airport

(a) Standby and duties at the airport shall be in the roster. The start and end times of the standby availability period shall be notified in advance to the aircrew members concerned to provide them with an opportunity to plan adequate rest.

(b) An aircrew member shall be considered on airport standby from reporting at the reporting point until the end of the notified airport standby availability period.

(c) Airport standby shall count in full as duty period for the purpose of points ORO.FTL.211 and ORO.FTL.236.

(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 or Class A rest facility to aircrew members on airport standby, provided that the Class A rest facility allows control of light and temperature and ensures isolation from noise and disturbance.

(f) The operator shall specify in its IFTSS the following elements for standby and duties at the airport, in accordance with the applicable certification specifications:

(1) the maximum duration of any standby availability period;

(2) the impact of time spent on standby on the maximum daily FDP, taking into account available rest facilities and other relevant factors, including:

(i) the need for immediate readiness of the aircrew;

(ii) the extent to which standby interferes with sleep;

(iii) the provision of sufficient notification to protect a sleep opportunity between the call for duty and the assigned FDP;

(3) the minimum rest period following a standby availability period that does not result in the assignment of an FDP;

(4) the method for counting other standby for the purpose of cumulative duty calculations.

ORO.FTL.231 Reserve

(a) Reserve shall be in the roster.

(b) The operator shall specify in its IFTSS the following elements of reserve in accordance with the applicable certification specifications:

(1) the maximum duration of any single reserve period;

(2) the number of consecutive reserve days that may be assigned to an aircrew member.

ORO.FTL.236 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) shall apply if the operator provides suitable accommodation to the aircrew 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

(1) By way of derogation from points (a) and (b), the minimum rest periods at home base or away from home base may be reduced, provided that reduced rest is applied only under an effective and functioning FRMS in compliance with point ORO.FTL.120.

(2) The operator shall define the conditions for reduced rest in its IFTSS, in accordance with the applicable certification specifications, taking into account all the following:

(i) the minimum reduced rest period;

(ii) the aircrew member's state of acclimatisation;

(iii) whether the rest period includes local nights;

(iv) time zone crossings;

(v) the combination of flight time and positioning immediately preceding the reduced rest period;

(vi) the travelling time to and from the place of rest.

(d) Recurrent extended recovery rest periods

The operator shall specify recurrent extended recovery rest periods to compensate for cumulative fatigue in its IFTSS. The minimum recurrent extended recovery rest period shall be 36 hours, including two 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 two local days twice every month.

(e) The operator shall specify additional rest periods in its IFTSS, in accordance with the applicable certification specifications, to compensate for:

(1) the effects of time zone differences and FDP extensions;

(2) additional cumulative fatigue due to disruptive schedules;

(3) the circadian phase shift during eastward-westward or westward-eastward transition.

ORO.FTL.241 Nutrition

(a) During the FDP there shall be the opportunity for a meal and drink in order to avoid any detriment to aircrew's performance.

(b) The operator shall specify in its IFTSS how the aircrew member's nutrition during FDP is ensured taking into account, at least, the FDP duration, the circadian rhythm and the regular mealtimes, as well as when eating or drinking during flight operations is impossible.

ORO.FTL.246 Records of home base, flight times, duty and rest periods

(a) The operator shall maintain, for a period of 24 months:

(1) individual records for each aircrew member including:

(1) flight times;

(2) start, duration and end of each duty period and FDP;

(3) rest periods and days free of all duties;

(4) 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 those concerned:

(1) the aircrew member concerned;

(2) another operator, in relation to an aircrew member who is or becomes an aircrew member of the operator concerned;

(3) the competent authority.

(c) Records referred to in point CAT.GEN.MPA.100(b)(5) of Annex IV (Part-CAT) in relation to aircrew members who undertake duties for more than one operator shall be kept for a period of 24 months.

ORO.FTL.251 Fatigue management training

(a) The operator shall provide initial and recurrent fatigue management training to its aircrew members, personnel responsible for preparation and maintenance of aircrew rosters and management personnel concerned.

(b) The training under point (a) 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 countermeasures, as well as practical aspects.'.