

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Tuesday, 21 September 2021 9:16 AM  
**To:** s 22  
**Subject:** CASE ENQ-21-124710 - Response to Guidance Query - FDP extension limit [SEC=OFFICIAL]  
CRM:001599000143

Dear s 22

Thank you for contacting the Regulatory Services and Surveillance Guidance Delivery Centre. Please find below the CASA response to your query:

A split duty rest period (SDRP) is defined in [section 6](#) of the [Civil Aviation Order 48.1 Instrument 2019](#) as a 'predefined' period. This means that an SDRP and resultant FDP increase must be either rostered or reassigned.

The 16-hour limit is therefore, a rostering limit. Consequently, an increased FDP under SDRP provisions can be extended in accordance with, in this case, [Appendix 3](#) sub-clause 5.3(a).

Please note that the guidance provided is current and accurate at the time of receiving this notification, however is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information. If you believe your query has not been answered, please reply to this email and quote the reference number CASE and we will do our best to resolve this ticket as soon as possible for you. If we do not hear from you within **3 business days**, this ticket will be automatically closed.

*As the Guidance function has been recently launched, we welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)*

Best Regards

**Guidance Delivery Centre**

**CASA\Aviation Group**

[e: regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)

[www.casa.gov.au](http://www.casa.gov.au)



----- Original Message -----

**From:** Civil Aviation Safety Authority <[casa.noreply@govcms.gov.au](mailto:casa.noreply@govcms.gov.au)>;

**Received:** Tue Aug 03 2021 15:36:57 GMT+1000 (Australian Eastern Standard Time)

**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;

**Subject:** Form submission from: Regulatory Guidance Enquiry - 124592 [SEC=OFFICIAL]

First Name s 22

Last Name s 22

casa\_arn s 47F

Email

Phone

casa\_kindofenquiry Flight Operations

Fatigue management CAO 48.1. Appendix 3 Multi Operations

Section 3 - 3.1 Subject to subclause 3.4, where an FDP contains a split-duty rest period of at least 4 consecutive hours with access to suitable sleeping accommodation, the maximum FDP worked out under clause 2 may be increased by up to 4 hours, provided the new maximum under clause 2 does not then exceed 16 hours.

Query

Section 5 - 5.3 Despite the FDP limits provided in the operations manual, in unforeseen operational circumstances at the discretion of the pilot in command:

- (a) the FDP limits in the operations manual may be extended by up to 1 hour; and
- (b) the sectors for the FDP limits may be increased by 1 more than would otherwise be the case for the FDP.

Question:

Can a FCM use section 5.3 to extend a split FDP in section 3.1 to exceed 16 hours? or is 16 hours a 'hard limit', as in not to exceed under any circumstance?

Released under Freedom of Information

## Phengrasmy, Keeley

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**From:** Regulatory Guidance  
**Sent:** Wednesday, 10 November 2021 4:36 PM  
**To:** REDACTED  
**Subject:** CASE ENQ-21-124753 - Response to Guidance Query - Private operations and Flight Duty Period (FDP) [SEC=OFFICIAL] CRM:000434001876

Dear REDACTED

Thank you for contacting the Regulatory Services and Surveillance Guidance Delivery Centre. Please find below the CASA response to your query:

**Query:** When combining commercial operations with private flights, CAO 48.1 states that 'private flight time must be taken to be part of the FCM's duty period and must not be taken to be part of the FCM's off-duty period'. Additionally, the CAAP 48-01 v3.2 states that 'private, non-recreational flying contributes to cumulative flight time limits; private, non-recreational flying also counts as duty time which can impact flight duty period start times and off duty periods'. As neither document refers to the Flight Duty Period limits does this mean that commercial FDP plus private flight time can exceed the CAO FDP limits?

**Response:** Section 6 of [Civil Aviation Order \(CAO\) 48.1 Instrument 2019](#) defines flight duty period (FDP) a period of time which starts when a person is required by an AOC holder to report for a duty period in which 1 or more flights as a flight crew member (FCM) are undertaken, and which ends at the later of the person's completion of all duties associated with the flight or the last of the flights, or 15 minutes after the end of the person's flight or the last of the flights.

Note the distinction between FDP, duty and duty period.

Non-flying related duties can continue after the end of the FDP and are therefore not included in the FDP limits of the appendix.

A duty period after an FDP can be of any length provided the duty period is included in cumulative duty and for the purpose of calculating the subsequent off-duty period. See, for example, Appendix 4 sub-clause 8.1.

CAO 48.1 Section 12 deals with the scenario where a private flight is conducted after a commercial flight. Specifically, if more than 1 commercial flight is conducted during the FDP and the private flight is conducted after the last commercial flight, the private flight time must be taken to be part of the FCM's duty period and must not be taken to be part of the FCM's off-duty period. Sub-clause 12.4(d) refers.

Note the reference is to an FCMs duty period and not to FDP.

The private flight can be conducted after the commercial flight and the duty time is not included in the FDP; the FDP limitations do not apply. The flights are permitted, and an exemption or other approval is not required.

In relation to your specific example, the private flight referred to is conducted after the last commercial flight and the private flight time must therefore be taken to be part of the FCM's duty period. A concern with this scenario, however, is that a private flight of 4 hours flight time would take somewhat more than 4 hours to complete. With a total FCM duty period of more than 16 hours, the question then becomes one of compliance with the AOC holder obligations in Section 14 and with the FCM obligations in Section 16. The off-duty period following an FCM's duty period of more than 16 hours should be determined in accordance with section 5 of Appendix 4B.

Section 16 of the CAO refers to flight crew member obligations. Sub-clause 16.1 refers a condition on each flight crew licence that the licence holder must not begin to carry out any task for a flight if, due to fatigue, the FCM is, or is likely to be, unfit to perform a task that the FCM must perform during the flight.

Sub-clause 16.2 notes that the condition in paragraph 16.1 applies to an FCM regardless of whether the flight is conducted on behalf of an AOC holder or a Part 141 operator, or as a private operation and that an FCM employed by an AOC holder must not exceed any limit specified for the FCM in the AOC holder's operations manual, except where an extension is permitted.

Section 14 of the CAO refers to AOC holder obligations. An AOC holder must not assign a duty on a flight to an FCM if the AOC holder reasonably believes that the FCM is unfit to perform the duty because of fatigue. Sub-clause 14.1 refers.

This leads to a view that an AOC/141 operator who requires an FCM to conduct a private operation of behalf of the

operator (such as an aircraft delivery or positioning flight) must have operations manual procedures to ensure compliance with sub-clause 14.1. This would suggest that the operator must impose some fatigue limitations on these flights.

Please note that the guidance provided is current and accurate at the time of receiving this notification, however is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information. If you believe your query has not been answered, please reply to this email and quote the reference number CASE ENQ-21-124753 and we will do our best to resolve this ticket as soon as possible for you. If we do not hear from you within **3 business days**, this ticket will be automatically closed.

*As the Guidance function has been recently launched, we welcome any improvement feedback addressed to [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)*

Best Regards

**Guidance Delivery Centre**

**CASA\Aviation Group**

e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)

[www.casa.gov.au](http://www.casa.gov.au)



----- Original Message -----

**From:** Civil Aviation Safety Authority <[casa.noreply@govcms.gov.au](mailto:casa.noreply@govcms.gov.au)>;

**Received:** Wed Aug 04 2021 14:00:20 GMT+1000 (Australian Eastern Standard Time)

**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;

**Subject:** Form submission from: Regulatory Guidance Enquiry - 124627 [SEC=OFFICIAL]

First Name	s 22
Last Name	s 22
casa_arn	s 47F
Email	[REDACTED]
Phone	[REDACTED]
Query	casa_kindofenquiry Flight Operations

When combining commercial operations with private flights, CAO 48.1 states that: "the private flight time must be taken to be part of the FCM's duty period and must not be taken to be part of the FCM's off-duty period.

Additionally, the CAAP 48-01V3.2 states: "Private, non-recreational flying contributes to cumulative flight time limits; private, non-recreational flying also counts as duty time which can impact flight duty period start times and off duty periods."

As neither document refers to the Flight Duty Period limits does this mean that commercial FDP plus private flight time can exceed the CAO FDP limits? For example: A commercial operation under 4B starts at 0700, involves 3 sectors, therefore has an FDP limit of 13hrs. The operation is completed within an FDP of 12 hours. Can a private operation involving 4 hours flight time then be conducted? Provided that upon completion an appropriate rest period, that counts the private flight time plus the commercial FDP as one, is completed.

## Phengrasmy, Keeley

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**From:** Regulatory Guidance  
**Sent:** Wednesday, 27 October 2021 10:48 AM  
**To:** s 22  
**Subject:** CASE ENQ-21-125346 - Response to Guidance Query[SEC=OFFICIAL] CRM:000885000932

Dear s 22

Thank you for contacting the Regulatory Services and Surveillance Guidance Delivery Centre. Please find below the CASA response to your query:

**Question:** As I understand, under section 12.4 a 'private repositioning flight' must now be taken as part of the FCM's duty period and under 16.2, private operations for pilots employed by an AOC holder are now restricted to the limitations in the operator's manual. So basically, there is no difference between a private flight (crew only) and a commercial flight with paying passengers with regards to flight and duty limitations for any pilots employed by an AOC holder.

My question being is there any way around this so that duty times can be extended for private repositioning flights, given the current situation of not being able to overnight at certain locations by extending the FDP for a positioning flight home, whether it be through a minor variation or some type of industry exemption?

**Response:** Section 6 of [Civil Aviation Order 48.1 Instrument 2019](#) defines flight duty period (FDP) a period of time which starts when a person is required by an AOC holder to report for a duty period in which 1 or more flights as an FCM are undertaken, and which ends at the later of the person's completion of all duties associated with the flight or the last of the flights, or 15 minutes after the end of the person's flight or the last of the flights.

Note the distinction between FDP, duty and duty period.

Non-flying related duties can continue after the end of the FDP and are therefore not included in the FDP limits of the appendix.

A duty period after an FDP can be of any length provided the duty period is included in cumulative duty and for the purpose of calculating the subsequent off-duty period. See, for example, Appendix 4 sub-clause 8.1.

CAO 48.1 Section 12 deals with the scenario where a private flight is conducted after a commercial flight. Specifically, if more than 1 commercial flight is conducted during the FDP and the private flight is conducted after the last commercial flight, the private flight time must be taken to be part of the FCM's duty period and must not be taken to be part of the FCM's off-duty period. Sub-clause 12.4(d) refers.

Note the reference is to an FCMs duty period and not to FDP.

The private flight can be conducted after the commercial flight and the duty time is not included in the FDP; the FDP limitations do not apply. The flights are permitted, and an exemptions or other approval is not required.

Section 16 of the CAO refers to flight crew member obligations. Sub-clause 16.1 refers a condition on each flight crew licence that the licence holder must not begin to carry out any task for a flight if, due to fatigue, the FCM is, or is likely to be, unfit to perform a task that the FCM must perform during the flight.

Sub-clause 16.2 notes that the condition in paragraph 16.1 applies to an FCM regardless of whether the flight is conducted on behalf of an AOC holder or a Part 141 operator, or as a private operation and that an FCM employed by an AOC holder must not exceed any limit specified for the FCM in the AOC holder's operations manual, except where an extension is permitted.

Section 14 of the CAO refers to AOC holder obligations. An AOC holder must not assign a duty on a flight to an FCM if the AOC holder reasonably believes that the FCM is unfit to perform the duty because of fatigue. Sub-clause 14.1 refers.

This leads to a view that an AOC/141 operator who requires an FCM to conduct a private operation on behalf of the operator (such as an aircraft delivery or positioning flight) must have operations manual procedures to ensure compliance with sub-clause 14.1. This would suggest that the operator must impose some fatigue limitations on these flights.

Please note that the guidance provided is current and accurate at the time of receiving this notification, however is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information. If you believe your query has not been answered, please reply to this email and quote the reference number CASE ENQ-21-125346 and we will do our best to resolve this ticket as soon as possible for you. If we do not hear from you within **3 business days**, this ticket will be automatically closed.

*As the Guidance function has been recently launched, we welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)*

Best Regards

**Guidance Delivery Centre**

**CASA\Aviation Group**

**e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)**

**[www.casa.gov.au](http://www.casa.gov.au)**



----- Original Message -----

**From:** Civil Aviation Safety Authority <[casa.noreply@govcms.gov.au](mailto:casa.noreply@govcms.gov.au)>;

**Received:** Tue Aug 17 2021 14:18:38 GMT+1000 (Australian Eastern Standard Time)

**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;

**Subject:** Form submission from: Regulatory Guidance Enquiry - 125059 [SEC=OFFICIAL]

First Name

s 22

Last Name

s 22

casa\_arn

s 47F

Email

Phone

casa\_kindofenquiry Regulatory Administration and Enforcement

Good Afternoon,

My name is s 22 and I am the s 47F

Query

I have a query with regards to section 12 and 16 of CAO 48.1 for private operations and the restrictions that this has now presented to the charter business, particularly as the covid 19 pandemic can restrict from overnighting at certain locations.

As I understand, under section 12.4 a 'private repositioning flight' must now be taken as part of the FCM's duty period and under 16.2, private operations for pilots employed by an AOC holder are now restricted to the limitations in the operator's manual. So basically, there is no difference between a private flight (crew only) and a commercial flight with paying passengers with regards to flight and duty limitations for any pilots employed by an AOC holder.

My question being is there any way around this so that duty times can be extended for private repositioning flights, given the current situation of not being able to overnight at certain locations by extending the FDP for a positing flight home, whether it be through a minor variation or some type of industry exemption?

I understand the importance of these new limitations in CAO 48.1, however given the current circumstances is it not possible to differentiate with regards to FDP's between passenger revenue and crew only flights for pilot's employed by AOC holders, considering these exceptional circumstances and countless obstacles we are currently faced with?

Best Regards,  
s 22  
s 47F  
[REDACTED]

Released under Freedom of Information

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Thursday, 21 April 2022 8:37 AM  
**To:** [REDACTED]  
**Subject:** CASE ENQ-22-136472 - Response to Guidance Query - Flight Duty Period (FDP) [SEC=OFFICIAL]  
CRM:000434002350

Dear [REDACTED],

The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual. Please find the response to your query below:

**Question:** The question is with regards to an airborne law enforcement and aeromedical operation which we intend to operate under appendix 4B. We're planning on having pilots rostered on a 12-hour duty shift, on a four-on-four off cycle, see the sample roster below. The question we have is with regards to how duty is applied to the FDP when it precedes a mission. When a pilot is on duty preceding a mission, does that duty need to be included as part of the flight and duty period if called out? For example, a pilot is rostered a 0600 – 1800 shift, at 1400 hrs the pilot is activated for a mission. The allowable FDP as per table 1.1 in appendix 4B is 11 hrs, however the pilot has already been on duty for 8 hrs with access to suitable sleeping or resting accommodation at the pilot's discretion. Is the maximum permitted FDP 11 hrs or 3 hrs?

**Answer:** The definitions for Standby, Flight Duty Period (FDP), Duty Period (DP), Flight Crew Member (FCM) and Off Duty Period (ODP) are contained in Civil Aviation Order (CAO) 48.1 Part 1 section 6 and are referred to in the following response.

The term '*duty preceding a mission*' referred to in your enquiry is not defined in [CAO 48.1](#). From the information provided if suitable sleeping accommodation is available and the FCM is free from all duties associated with his or her employment, the FCM will be on *Standby*.

If so The Standby period doesn't form part of the Flight Duty Period (FDP) for the purposes of appendix 4B of CAO 48.1. The FDP will commence (even during a Standby) when the FCM actually reports for the purpose of the first flight.

At the conclusion of this FDP the ODP commences and is calculated according to section 5 of appendix 4B of CAO 48.1. Note that the preceding standby period in question (*duty preceding a mission*) is not part of this calculation BUT the commencement of the following Standby cannot be before the end of this ODP.

Using your example, the FCM is on standby from 0600 in a place with suitable sleeping accommodation, which may include his/her home. At 1400 the FCM signs on for a single pilot operational duty. Without considering any other limiting provisions or extensions, the FCM could potentially complete an 11-hour FDP, signing off at 0100 the next morning. In this scenario (once again not considering other limiting provisions) his would require a minimum ODP of 10 hours according to section 5.1 (b) of the CAO so the next Standby, DP or FDP could only commence at or after 1100 the following day.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-136472.

Best regards,  
**Guidance Delivery Centre**  
**CASA\Aviation Group**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)



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----- Original Message -----

**From:** <project-name.noreply@govcms.gov.au>;  
**Received:** Wed Feb 16 2022 10:16:28 GMT+1100 (Australian Eastern Daylight Time)  
**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;  
**Subject:** Webform submission from: General rules enquiries > Page components top - 19459

First Name s 22 [REDACTED]  
Last Name s 22 [REDACTED]  
casa\_arn  
Email s 47F [REDACTED]  
Phone  
Representing organisation Yes  
Organisation Name s 47F [REDACTED]  
Organisation ARN  
Enquiry type Other  
Case number  
Enquiry number

Hi Regservices,

I've got a Flight and Duty related question that I was hoping you could help me out with or point me in the direction of someone that might be able to give me an official CASA.

Query The question is with regards to an airborne law enforcement and aeromedical operation, which we intend to operate under appendix 4B. We're planning on having pilots rostered on a 12-hour duty shift, on a four-on-four off cycle, see the sample roster below. The question we have is with regards to how duty is applied to the FDP when it precedes a mission. When a pilot is on duty preceding a mission, does that duty need to be included as part of the flight and duty period if called out? For example a pilot is rostered a 0600 – 1800 shift, at 1400 hrs the pilot is activated for a mission. The allowable FDP as per table 1.1 in appendix 4B is 11 hrs, however the pilot has already been on duty for 8 hrs with access to suitable sleeping or resting accommodation at the pilot's discretion. Is the maximum permitted FDP 11 hrs or 3 hrs?

Kind regards,

s 22 [REDACTED]

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Thursday, 14 April 2022 3:11 PM  
**To:** s 22 [REDACTED]  
**Subject:** CASE ENQ-22-137106 - Response to Guidance Query - Extending duty period[SEC=OFFICIAL]  
CRM:000549000988

Dear s 22 [REDACTED],

The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual. Please find the response to your query below:

**Question:** Work rules enquiry. When extending a duty period beyond the roster limits due to disruption and prior to departure. Are the requirements of traffic/weather holding to be included and added to the flight time to determine the potential length of the extension. Where can I find this reference.

**Answer:** The Flight and Duty limits published in [Civil Aviation Order \(CAO\) 48.1](#) include provisions for extension of flight duty periods (FDP) due to disruption. You will find the information in the relevant appendix of CAO 48.1 used by your company and also in the company operations manual, which may impose further requirements.

Using Appendix 3 of CAO 48.1 as an example, paragraph 5.7 (b) allows for exceeding an FDP or flight time limit due to unforeseen operational circumstances after take-off. It follows that any *foreseen* operational circumstances such as the weather or traffic holding you refer to should be taken into account *before take-off* to determine the worst-case sector length for the purposes of any FDP and flight time extension authorised under the same appendix.

In all decisions, [regulation 91.215 of the Civil Aviation Safety Regulations 1998 \(CASR\)](#) reminds that the pilot in command of an aircraft is responsible for the conduct and safety of members of the crew on the aircraft and, therefore, has a discretion not to permit an extension to occur even if otherwise permissible under this CAO. Section 4.5.7 of [CAAP 48-01](#) has some more general information.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-137106.

Best regards,  
**Guidance Delivery Centre**

**CASA\Aviation Group**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

We welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

----- Original Message -----

**From:** <project-name.noreply@govcms.gov.au>;  
**Received:** Thu Mar 03 2022 13:55:06 GMT+1100 (Australian Eastern Daylight Time)  
**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;  
**Subject:** Webform submission from: Flight operations rules enquiries > Page components - 21678

First Name	s 22 [REDACTED]	SingleLineOfText
Last Name	s 22 [REDACTED]	SingleLineOfText
casa_arn		SingleLineOfText
Email	s 47F [REDACTED]	SingleLineOfText
Phone		SingleLineOfText

Representing organisation	No	OptionSet
Organisation Name		SingleLineOfText
Organisation ARN		SingleLineOfText
Enquiry type	Other	OptionSet
Case number		SingleLineOfText
Enquiry number		SingleLineOfText
Query	<p>Work rules enquiry.</p> <p>When extending a duty period beyond the roster limits due to disruption and prior to departure. Are the requirements of traffic/weather holding to be included and added to the flight time to determine the potential length of the extension.</p> <p>Where can I find this reference.</p> <p>Thank you <sup>s 22</sup></p>	Mult LineOfText

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Tuesday, 17 May 2022 9:47 AM  
**To:** [REDACTED]  
**Subject:** CASE ENQ-22-137530 - Response to Guidance Query - Definition of 'part thereof'  
[SEC=OFFICIAL] CRM:000434002392

Dear [REDACTED],

The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual. Please find the response to your query below:

**Question:** I am after casa's definition of the phrase 'part thereof' which is referenced in several publications. One specifically is CAO 48.1 it is mentioned several times in reference to crew rest requirements. Can I have a definition and a written example please.

**Answer:** [Civil Aviation Order \(CAO\) 48.1](#) does not use the term "part thereof". However, please see the explanation below on crew rest requirements.

[CAO 48.1 Fatigue Management](#) advises an extra hour of off duty period (ODP) is invoked if the flight duty period (FDP) is extended by *any* amount of time, regardless of how short the period may be.  
Note 1 - For the CAO appendices that permit air transport operations (Apps 1-4A) an FDP can only be extend in unforeseen operational circumstances as defined in section 6 of the CAO.  
Note 2 - Section 14 of the CAO requires that any extension must be followed by a report that is held as a record for at least five years. Extension reports must be used by the operator for the continuous improvement of the holder's fatigue management, and fatigue risk management policies.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-137530.

Best regards,  
[Guidance Delivery Centre](#)  
[CASA\Aviation Group](#)  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)



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----- Original Message -----

**From:** <project.name.noreply@govcms.gov.au>;  
**Received:** Mon Mar 14 2022 16:26:36 GMT+1100 (Australian Eastern Daylight Time)  
**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;  
**Subject:** Webform submission from: General rules enquiries > Page components top - 23198

First Name	[REDACTED] s 22
Last Name	[REDACTED] s 22
casa_arn	s 47F [REDACTED]
Email	[REDACTED]
Phone	[REDACTED]

Representing organisation No

Organisation Name

Organisation ARN

Enquiry type Other

Case number

Enquiry number

Hello

Query I am after casa's definition of the phrase 'part thereof' which is referenced in several publications. One specifically is CAO 48.1 it is mentioned several times in reference to crew rest requirements.

Can I have a definition and a written example please

Thankyou

**From:** [Regulatory Guidance](#)  
**To:** [s 22](#)  
**Bcc:** [Anastasi, Adam](#); [Guerin, Sue](#)  
**Subject:** CASE ENQ-22-139433 - Response to Guidance Query - Reassign & extend FDP [SEC=OFFICIAL]  
CRM:001599001255  
**Date:** Monday, 27 June 2022 11:47:51 AM

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Dear [s 22](#),

**The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual.** Please find the response to your query below:

**Question:** Request guidance and clarity with regards to the ability to reassign a modified FDP (reassignment and extension of FDP) to include a split duty rest period after the FDP has commenced?

Example: - Crew sign on for a duty consisting of 4 sectors, crew experience an aircraft technical after the first sector that requires maintenance action for a few hours that would extend the duty beyond the allowable duty limit, crew are then placed in suitable resting accommodation to split the duty to maximise the allowable FDP to allow the remaining sectors to be completed. Ensuring the split duty following the split duty rest period is no longer than 6 hours.

CAO 48.1:- Appendix 1, Appendix 2 (which [s 47F](#) operates under), including the definitions have need referenced for confirmation that split duty can not be used after commencement of an FDP?

**Answer:** Under paragraph 7 of Appendix 2 of [Civil Aviation Order 48.1 Instrument 2019](#) (CAO) an AOC holder may re-assign and extend a FCM's assigned FDP after commencement. The Appendix doesn't prevent the reassignment to include a Split Duty provided the Split Duty Rest Period is *predefined* as per the definition of *Split Duty Rest Period* in section 6 of part 1 of CAO 48.1. The *increase in FDP limits by split duty* as outlined in section 4 of Appendix 2 would then apply.

It is important to note that when crew are *placed in suitable resting accommodation* (after reassignment or otherwise), the time allocated must be predetermined. The AOC holder must determine commencement and completion times of the crew rest period *before the rest period is commenced*. This is to prevent crew being on standby while in the resting accommodation - a provision that is only applicable to operators of CAO 48.1 Appendices 4B and 5.

To access the split duty provisions in your example, an estimate of the time taken for the proposed maintenance action would translate into a *predetermined* commencement and completion time for a FCM Split Duty Rest Period.

For clarity, if the maintenance was completed earlier and the FCM's were asked to recommence line duties before the end of the predetermined Split Duty Rest Period, then the Split Duty provisions would be lost and original FDP limits would apply. Likewise if the maintenance took longer than expected, the AOC holder could not gain benefit for the purposes of FDP from an increased rest period beyond that which was predetermined.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-139433.

Best regards,  
[Guidance Delivery Centre](#)

**CASA\Guidance, Transformation & Safety Systems**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

We welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

----- Original Message -----

**From:** <project-name.noreply@govcms.gov.au>;  
**Received:** Wed May 25 2022 10:56:31 GMT+1000 (Australian Eastern Standard Time)  
**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;  
**Subject:** Webform submission from: Flight operations rules enquiries > Page components - 33852

First Name s 22  
Last Name s 22  
casa\_arn s 47F  
Email  
Phone  
Representing organisation Yes  
Organisation Name s 47F  
Organisation ARN s 47G  
Enquiry type Other  
Case number  
Enquiry number

Request guidance and clarity with regards to the ability to reassign a modified FDP(reassignment and extension of FDP) to include a split duty rest period after the FDP has commenced?

Query Example: - Crew sign on for a duty consisting of 4 sectors, crew experience an aircraft technical after the first sector that requires maintenance action for a few hours that would extend the duty beyond the allowable duty limit, crew are then placed in suitable resting accommodation to split the duty to maximise the allowable FDP to allow the remaining sectors to be completed. Ensuring the split duty following the split duty rest period is no longer than 6 hours.

CAO 48.1:- Appendix 1, Appendix 2 (which s 47F operates under), including the definitions have need confirmation that split duty can not be used after commencement of an FDP?

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Friday, 5 August 2022 10:34 AM  
**To:** s 22  
**Subject:** CASE ENQ-22-141692 - Response to Guidance Query[SEC=OFFICIAL] CRM:000247001388

Dear s 22,

The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual.

Please find the response to your query below:

**Question:** I am a flight crew member for a short haul high capacity RPT operation in Australia. I have an enquiry as to the application and legal liabilities around an extension of max flight duty period. Currently the rules state that up to an hour of extension of maximum FDP is permissible from a base that has crew. Two hours is the maximum permissible FDP extension for an outport.

I would like clarification on the application of this extension. Ie. legal obligation, liabilities and process when this extension is exceeded. One of my questions is are we legally allowed to depart a port to operate a flight from Point A to Point B knowing we are going in to the extension period?

**Answer:** The extension provisions referred to in your enquiry do not appear in the Civil Aviation Order (CAO) 48.1 appendices 1 - 6, so they are assumed to be under appendix 7 as a Fatigue Risk Management System (FRMS).

As an example however, using CAO 48.1 Appendix 3, the following is stated (with regard to extensions):-

5.3 Despite the FDP limits provided in the operations manual, in unforeseen operational circumstances at the discretion of the pilot in command:

(a) the FDP limits in the operations manual may be extended by up to 1 hour; and

(b) the sectors for the FDP limits may be increased by 1 more than would otherwise be the case for the FDP.

Under this appendix a flight from Point A to Point B knowingly going into the extension period can be operated under this provision.

It is suggested that you contact your FRMS Manager for further clarification of the FRMS Policy in your organisation.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-141692.

Best regards,  
**Guidance Delivery Centre**

**CASA\Guidance, Transformation & Safety Systems**

e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)

[www.casa.gov.au](http://www.casa.gov.au)

We welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

----- Original Message -----

**From:** Civil Aviation Safety Authority <project-name.noreply@govcms.gov.au>;

**Received:** Wed Jul 06 2022 15:55:35 GMT+1000 (Australian Eastern Standard Time)

**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;

**Subject:** Webform submission from: Flight operations rules enquiries > Page components - 38707

First Name s 22

Last Name s 22

casa\_arn

Email s 47F

Phone

Representing  
organisation

No

Organisation

Name

Organisation

ARN

Enquiry type      Other

Case number

Enquiry number

Good day,

I am a flight crew member for a short haul high capacity RPT operation in Australia. I have an enquiry as to the application and legal liabilities around an extension of max flight duty period. Currently the rules state that up to an hour of extension of maximum FDP is permissible from a base that has crew. Two hours is the maximum permissible FDP extension for an outport.

Query

I would like clarification on the application of this extension. Ie. legal obligations, liabilities and process when this extension is exceeded. One of my questions is are we legally allowed to depart a port to operate a flight from Point A to Point B knowing we are going into the extension period?

Thank you in advance.

Kind regards, s 22.

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Monday, 15 August 2022 2:00 PM  
**To:** s 22  
**Subject:** CASE ENQ-22-143265 - Response to Guidance Query - FDP extensions [SEC=OFFICIAL]  
CRM:001599001385

Dear s 22

**The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual.** Please find the response to your query below:

**Question:** I have a question about CAO 48.1 Appendix 4B, in relation to an extension that is applied to an FDP, i.e unforeseen operational circumstances or urgent operation.

1) If the FDP limit has been reached, say you had 11hrs of FDP, then can you apply an extension after the 11hr hard limit has already been reached? Or must any extension only be utilised with an FDP?

2) Eg. The FCM returns from a flying task and upon return and after completing post flight admin has hit their FDP hard limit of 11hrs. Can the FCM then elect to use the urgent extension clause to extend the FDP or must they have an ODP prior to any further FDP?

Question2. Is the split-duty rest period only to be used in the FDP? i.e If you hit a FDP hard limit can you then use the split-duty rest period to extend the FDP?

**Answer:** Flight and Duty considerations as outlined in CAO 48.1 are based on accurate time assessments. As such the difference of only one minute can be turning point of the application or non-application of a certain provision in the same order. Your questions relate to applying the appendix 4B extension and split duty provisions *after* the FDP is completed. This is not possible as an FDP must 'contain' the extension or split duty as implied by key words in section 2, for split duty '*if an FDP contains a split-duty rest*' and in section 3 '*an FDP may be extended*'.

The end of an FDP is defined as the **later** of (i) the person's completion of all duties associated with the flight or the last of the flights; **or** (ii) 15 minutes after the end of the person's flight, or the last of the flights. After this time the FCM must complete an ODP in accordance with the relevant appendix provisions before commencing further duties.

In summary, while the provisions to increase or extend the FDP could be invoked immediately prior to the conclusion of the FDP, a FDP cannot be increased or extended after the FDP has concluded.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-22-143265.

Best regards,  
**Guidance Delivery Centre**

**CASA\Guidance, Transformation & Safety Systems**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

We welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

----- Original Message -----

**From:** Civil Aviation Safety Authority <project-name.noreply@govcms.gov.au>;  
**Received:** Wed Jul 20 2022 09:51:34 GMT+1000 (Australian Eastern Standard Time)  
**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;  
**Subject:** Webform submission from: General rules enquiries > Page components top - 40132

First Name	<span style="background-color: black; color: black;">s 22</span>
Last Name	<span style="background-color: black; color: black;">s 22</span>
casa_arn	<span style="background-color: black; color: black;">s 47F</span>
Email	<span style="background-color: black; color: black;">[REDACTED]</span>

Phone **s 47F**

Representing organisation  
No

Organisation  
Name

Organisation  
ARN

Enquiry type Other

Case number

Enquiry  
number

Hello, I have a question about CAO 48.1 Appendix 4B, in relation to an extension that is applied to an FDP, i.e unforeseen operational circumstances or urgent operation. If the FDP limit has been reached, say you had 11hrs of FDP, then can you apply an extension after the 11hr hard limit has already been reached? Or must any extension only be utilised with an FDP?

Query Eg. The FCM returns from a flying task and upon return and after completing post flight admin has hit their FDP hard limit of 11hrs. Can the FCM then elect to use the urgent extension clause to extend the FDP or must they have an ODP prior to any further FDP?  
Question2. Is the split-duty rest period only to be used in the FDP? i.e If you hit a FDP hard limit can you then use the split-duty rest period to extend the FDP?

Thank you.

**Phengrasmy, Keeley**

**From:** Regulatory Guidance  
**Sent:** Monday, 12 December 2022 8:44 AM  
**To:** s 22  
**Subject:** CASE ENQ-22-143820 - Response to Guidance Query - FDP extensions [SEC=OFFICIAL]  
CRM:000247001609

Dear s 22,

Your feedback is important to us. Please complete our short 5 question survey here: [Guidance Delivery Centre Satisfaction Survey](#)

Please find the response to your query below:

**Question:** I am seeking clarification about the application of urgent operations FDP extensions in accordance with CAO 48.1, appendix 4B.

**Answer:** On further review, CASA wishes to clarify that while the provisions to increase or extend the FDP could be invoked immediately prior to the conclusion of the FDP, a FDP cannot be increased or extended after the FDP has concluded in line with Appendix 4B of CAO 48.1.

*This guidance is current and accurate at the time of receiving this notification and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email.

Best regards,

**Guidance Delivery Centre**

**CASA\Guidance, Transformation & Safety Systems**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

Your feedback is important to us. Please complete our short 5 question survey here: [Guidance Delivery Centre Satisfaction Survey](#)

----- Original Message -----

**From:** Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;  
**Received:** Mon Sep 12 2022 11:49:12 GMT+1000 (Australian Eastern Standard Time)  
**To:** s 47F  
**Subject:** CASE ENQ-22-143820 - Response to Guidance Query - Application of urgent operations FDP extensions in accordance with CAO 48.1, appendix 4B[SEC=OFFICIAL] CRM:000549001507

Dear s 22

Your feedback is important to us. Please complete our short 5 question survey here: [Guidance Delivery Centre Satisfaction Survey](#)

Please find the response to your query below:

**Question:** I am seeking clarification about the application of urgent operations FDP extensions in accordance with CAO 48.1, appendix 4B.

Specifically, CAO 48.1, appendix 4B imposes FDP limits that apply for normal operations, and additionally, in accordance with subclause 3.2, allows for the normal FDP limit to be extended by up to 4 hours at the pilot's discretion if the criteria for urgent operations as defined in the operator's procedures apply.

In a situation where the FCM has exhausted the normal FDP limit in accordance with appendix 4B subclause 1.1, are they required to immediately commence an off-duty period, (i.e., in accordance with subclause 5.1), or may they accept a subsequent tasking in a situation where the urgent operations extension criteria are satisfied?

For example, an FCM (single-pilot operation) commences FDP at 0700 (local time) and is on duty continuously for 12 hours until 1900. They have completed all their post-flight duty at exactly 1900 and have completely exhausted their normal FDP limit of 12 hours in accordance with subclause 1.1. At 1930 they receive a call from the flight dispatcher for an urgent operation as defined in the AOC holder's procedures. Are they able to apply the extension of up to 4 hours in this situation (assuming all criteria are met)?

There is an opinion that once the normal FDP is completely exhausted, the FCM is unable to conduct any duty whatsoever, including answering the phone from the task dispatcher. The contrary point of view is that the FCM may still assess a task to determine whether the urgent operations extension criteria is applicable and may only conduct further flight duties if the urgent operations criteria is met and an extension of up to 4 hours is applied.

I seek GDC's guidance to answer the questions above.

**Response:** Where an operations manual or exposition provides for 'urgent operation procedures' and the proposed urgent operation extension fits within these procedures, an FDP limit may be increased by up to 4 hours to a maximum FDP of 16 hours. This response is based on a single pilot operation with no FDP limit increase for split duty. [CAO 48.1 Instrument 2019 Appendix 4B](#) subclause 3.2 refers.

Application of an extension is at the discretion of the pilot in command who must be satisfied they are fit for the extended FDP and that the safety of the flight will not be impacted by fatigue. Note also that the required ODP following the extended FDP will be affected by the extension.

If there is a delay before commencing the extension, the delay period must be included in the maximum FDP of 16 hours. In the example provided, the 30-minute delay before receiving the phone call from the dispatcher will limit the additional FDP to 3.5 hours. The FDP, which commenced at 0700 should be no longer than 16 hours in total. Whether or not the phone should have been answered is irrelevant.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email.

Best regards,

#### **Guidance Delivery Centre**

**CASA\Guidance, Transformation & Safety Systems**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

Your feedback is important to us. Please complete our short 5 question survey here: [Guidance Delivery Centre Satisfaction Survey](#)

----- Original Message -----

**From:** Civil Aviation Safety Authority <[project-name.noreply@govcms.gov.au](mailto:project-name.noreply@govcms.gov.au)>;  
**Received:** Tue Jul 26 2022 10:45:05 GMT+1000 (Australian Eastern Standard Time)  
**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;  
**Subject:** Webform submission from: Flight operations rules enquiries > Page components - 40848

First Name

s 22

Last Name

s 22

casa\_arn **s 47F**  
Email [REDACTED]  
Phone [REDACTED]

Representing organisation Yes

Organisation Name **s 47F**

Organisation ARN **s 47G**

Enquiry type Other

Case number

Enquiry number

I am seeking clarification about the application of urgent operations FDP extensions in accordance with CAO 48.1, appendix 4B.

Specifically, CAO 48.1, appendix 4B imposes FDP limits that apply for normal operations, and additionally, in accordance with subclause 3.2, allows for the normal FDP limit to be extended by up to 4 hours at the pilot's discretion if the criteria for urgent operations as defined in the operator's procedures apply.

In a situation where the FCM has exhausted the normal FDP limit in accordance with appendix 4B subclause 1.1, are they required to immediately commence an off-duty period, (i.e. in accordance with subclause 5.1), or may they accept a subsequent tasking in a situation where the urgent operations extension criteria are satisfied?

Query For example, an FCM (single-pilot operation) commences FDP at 0700 (local time), and is on duty continuously for 12 hours until 1900. They have completed all of their post-flight duty at exactly 1900 and have completely exhausted their normal FDP limit of 12 hours in accordance with subclause 1.1. At 1930 they receive a call from the flight dispatcher for an urgent operation as defined in the AOC holder's procedures. Are they able to apply the extension of up to 4 hours in this situation (assuming all criteria are met)?

There is an opinion that once the normal FDP is completely exhausted, the FCM is unable to conduct any duty whatsoever, including answering the phone from the task dispatcher. The contrary point of view is that the FCM may still assess a task to determine whether the urgent operations extension criteria is applicable, and may only conduct further flight duties if the urgent operations criteria is met and an extension of up to 4 hours is applied.

I seek GDC's guidance to answer the questions above.

## Phengrasmy, Keeley

**From:** Regulatory Guidance  
**Sent:** Friday, 26 May 2023 4:11 PM  
**To:** s 22  
**Subject:** CASE ENQ-22-153668 - Response to Guidance Query - Unforeseen operational circumstances  
[SEC=OFFICIAL] CRM:000247001583

Dear s 22

This response was scheduled to be sent on the 18 November 2022. A system error was discovered and the response below is being sent today as a precaution in case it was not received. The Guidance Delivery Centre apologises for any inconvenience this may have caused.

Please find the response to your query below:

**Question:** CAAP 48-01 v3.2 4.5.7 references weather patterns to be utilised to foresee potential disruptions or delays. Airnorth mainly operates along the northern parts of Australia with the wet season producing TEMPO or INTER requirements in weather forecasts (TAF).

It is our understanding as an operator that these requirements should not be used when assessing the need for an extension prior to or during the last planned sector.

Example: -

Sign on 07:30, depart 08:30, 4 sectors = allowable duty 12.5 hours  
last flight lands 19:10, Sign off 19:25. allowable end time 20:00

If the weather forecast (TAF) has a TEMPO appended for the arrival time for the last flight, this is a flight fuel planning requirement, and should not be used by the crew to assume that they need to make a decision to extend the duty past the allowable end time of 20:00 because of a TEMPO referring to the requirement to carry 60 minutes of holding fuel?

Request CASA's guidance and thoughts on this and the definition of "Weather patterns" as mentioned in the CAAP

**Answer:** Section 4.5.7 of the [CAAP 48.1](#) refers to extensions due to unforeseen operational circumstances. The intention behind the use of the term 'unforeseen circumstances' that include weather patterns is to prevent operators continually rostering flight and duty times to their maximum limits and regularly relying on extensions to achieve their operational goals.

CASA acknowledges the operational environment being discussed. In the case of the above scenario ("Wet Season" in Northern Australia).

Chapter 6 of the [Civil Aviation Order 48.1](#) (CAO) offers a definition of unforeseen operational circumstance, "*means an unplanned exceptional event that becomes evident after the commencement of the FDP, such as unforecast weather, equipment malfunction, or air traffic delay.*"

For Appendix 2 operations, a circumstance is only unforeseen if it occurs after the FDP has commenced. - see definition

- If an unforeseen circumstance occurs after the FDP commencement, then an FDP can be extended but all other limitations must be respected.
- If an unforeseen circumstance occurs after the commencement of the final sector, an FDP can be extended and other limitations may be breached (Appendix 2 sub-clause 7.7 of CAO 48.1).

If a TEMP (WX) condition existed that could affect the crew's ability to complete the final sector with-in the allotted duty period, and this weather event was forecast prior to the FDP the intent is for the extension **not** to be utilised.

In the same way that a TEMPO would attract a fuel penalty, the operational planning would also have to consider the associated time penalty for the purposes of Flight and Duty considerations. Rostering practices should take this into account with the rostered duty. Section 4.3.4 of the CAAP notes that rosters should be designed to cater for reasonably foreseeable delays such taxi requirements, holding requirements without the need for operational

extensions.

The utilising of the extension function by the FCM allows a mechanism to achieve a desirable operational outcome in the instance of unforeseen operational circumstances. If the TEMPO was forecast BEFORE the Flight Duty Period, it would not be 'unforeseen'.

Note: Extensions should only occur under 5% of any sample of similar flight duty period (FDP). If the operator experiences extensions greater than 5% of the sample the operator should consider revising their practices. Extensions beyond FDP limits should not be made on a regular basis.

*This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email.

Best regards,

### Guidance Delivery Centre

**CASA\Guidance, Transformation & Safety Systems**

e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)

[www.casa.gov.au](http://www.casa.gov.au)

----- Original Message -----

**From:** Civil Aviation Safety Authority <project-name.noreply@govcms.gov.au>;

**Received:** Thu Oct 27 2022 16:53:38 GMT+1000 (Australian Eastern Standard Time)

**To:** Guidance <regguidance@casa.gov.au>; Guidance Delivery Queue <regguidance@casa.gov.au>;

**Subject:** Webform submission from: Flight operations rules enquiries > Page components - 50785

First Name	s 22
Last Name	s 22
casa_arn	s 47F
Email	[REDACTED]
Phone	[REDACTED]
Representing organisation	Yes
Organisation Name	s 47F
Organisation ARN	s 47G
Enquiry type	Other
Case number	
Enquiry number	CAO 48.1 Extensions
Query	It is our understanding as an operator that these requirements should not be used when assessing the need for an extension prior to or during the last planned sector. Example: - Sign on 07:30, depart 08:30, 4 sectors = allowable duty 12.5 hours last flight lands 19:10, Sign off 19:25. allowable end time 20:00

If the weather forecast (TAF) has a TEMPO appended for the arrival time for the last flight, this is a flight fuel planning requirement, and should not be used by the crew to assume that they need to make a decision to extend the duty past the allowable end time of 20:00 because of a TEMPO referring to the requirement to carry 60 minutes of holding fuel?

Request CASA's guidance and thoughts on this and the definition of "Weather patterns" as mentioned in the CAAP.

Released under Freedom of Information

## Phengrasmy, Keeley

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**From:** Regulatory Guidance  
**Sent:** Monday, 12 December 2022 9:14 AM  
**To:** s 22  
**Subject:** CASE ENQ-22-154678 - Response to Guidance Query - FDP extensions [SEC=OFFICIAL]  
CRM:000247001610

Dear s 22

Please find the response to your query below:

**Question:** During today's FSAG meeting we discussed a potential point of ambiguity that has been raised by FCMs, and for which we have sought and received advice from GDC. The question relates to an FCM who has exhausted their 'normal' FDP limit, but is still within their rostered shift period. In particular, the question is whether a split-duty rest period or *urgent operations* FDP extension may allow for the FDP to be further extended once the normal FDP limit has been exhausted.

Example: Bloggs is working a single-pilot night shift (rostered shift period 1800-0800), and commences their FDP at 1800. Bloggs works continuously until 0400 at which time he has completed the last flight sector and has returned to base with access to suitable sleeping accommodation. At the completion of all post flight duty at 0400, Bloggs has used up all of the 'normal' FDP permitted for a single-pilot FDP commencing at 1800 (10hrs). Bloggs' rostered shift period for the night shift continues until 0800, at which time the day shift crew will arrive at work.

**The question is, can we allow Bloggs to commence a split-duty rest period (SDRP) at 0400 and/or allow further duty if all of the criteria applicable to an *urgent operations* extension are met?**

The two scenarios below continue on from the example above to demonstrate how the SDRP and/or the *urgent operations* extension may be applied to allow the FCM to extend their FDP and resume flying operations:

1: Bloggs commences his split-duty rest period at 0400, and at 0500 receives a call from the flight dispatcher for a high-speed motor vehicle accident with seriously injured occupants. The task meets the *urgent operations* criteria and the FCM conducts a fatigue self-assessment and crew check to confirm that the crew are all fit to fly. The FCM calls the HOFO and received authorisation to extend their FDP to conduct the *urgent operation*. In this case the SDRP does not allow for any extension to FDP because it was less than 2hrs. The FCM is able to extend their FDP until no later than 0800 inclusive of the *urgent operations* extension (total 14 hr FDP 1800-0800).

2. Bloggs commences his split duty rest period at 0400, and at 0600 receives a call from the flight dispatcher for a high-speed motor vehicle accident with seriously injured occupants. The task meets the *urgent operations* criteria and the FCM conducts a fatigue self-assessment and crew check to confirm that the crew are all fit to fly. The FCM calls the HOFO and received authorisation to extend their FDP to conduct the *urgent operation*. In this case the SDRP allows for an extension to FDP equivalent to the total duration of the SDRP (2hrs). The FCM is able to extend their FDP until no later than 1000 inclusive of the *urgent operations* extension and SDRP (total 16 hr FDP 1800-1000).

To seek clarification about the correct application of the normal FDP limit and subsequent extensions to the limit, I submitted the question to GDC. I have attached the GDC question and their response for reference. One of the FCMs who raised the question within Babcock also independently raised a similar question with GDC and received a response which is potentially inconsistent with the response that I received.

I would appreciate your confirmation that the above description and example of an FDP that is extended beyond the normal limit be either SDRP and/or *urgent operations* extension is the correct interpretation and application of the relevant provisions in our FRMS manual.

**Answer:** Based on the all the examples and scenarios presented, the questions are based on the FDP being completed (Exhausted). Split duty provisions and *urgent operations* procedures and extensions *after* the FDP is completed is not possible.

If an "FCM who has exhausted their 'normal' FDP limit" then the consequence is that the FDP has been completed.

**Split Duty:** An FDP must 'contain' the extension or split duty as implied by key words in section 2, for split duty *'if an FDP contains a split-duty rest'* and in section 3 *'an FDP may be extended'*.

**Extension:** 3.2 (b) of Appendix 4B states:

"an operation is deemed to be urgent in accordance with the manual; then at the discretion of the FCM, an FDP

**containing an urgent operation** may be extended by up to a maximum of 4 hours beyond.”

An extension of the FDP can only be considered if the FDP contains an urgent operational need. The option for an extension does not exist after the FDP has been completed.

The provisions to increase or extend the FDP could be invoked immediately **prior** to the conclusion of the FDP, a FDP cannot be increased or extended after the FDP has concluded in line with Appendix 4B of CAO 48.1

NOTE: In the case of Babcock Mission Critical Services Australasia (BMCSA), your enquiry of 26 July 2022 referenced various provisions of CAO48.1 Appendix 4B and the response provided was prepared in response to your questions about Appendix 4B. However, as BMCSA operates to a trial FRMS approved under Appendix 7 of CAO 48.1, you are not bound by each of the provisions of Appendix 4B. You may wish to consider changing your FRMS should you have an operational need to be able to extend an FDP in the manner described in your enquiry. To apply for a change of this nature, you would need to submit the proposed change to CASA supported by an appropriate safety case, which identified the fatigue risks of the proposed change and how you were managing and controlling/mitigating these risks. In order to satisfy CASA, you would need to demonstrate that for the circumstances of the proposed extension to the FDP, the organisation was effectively monitoring and managing fatigue related safety risks and that the FCMs were performing at levels of alertness sufficient to ensure the safety of the operation and air navigation.

*This guidance is current and accurate at the time of receiving this notification and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.*

If you require further clarification relating to this matter, please reply to this email.

Best regards,  
**Guidance Delivery Centre**

**CASA\Guidance, Transformation & Safety Systems**  
e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)

---

**From:** [REDACTED] s 47F  
**Sent:** Tuesday, 13 September 2022 12:27 PM  
**To:** Ayrey, Mark <[Mark.Ayrey@casa.gov.au](mailto:Mark.Ayrey@casa.gov.au)>  
**Cc:** Treston, Brendan <[Brendan.Treston@casa.gov.au](mailto:Brendan.Treston@casa.gov.au)>; [REDACTED] s 47F

**Subject:** Babcock MCS - FRMS - request for clarification of FDP rules (OFFICIAL)

**Classification:** OFFICIAL

Hi [REDACTED] 22,

During today's FSAG meeting we discussed a potential point of ambiguity that has been raised by FCMs, and for which we have sought and received advice from GDC. The question relates to an FCM who has exhausted their 'normal' FDP limit, but is still within their rostered shift period. In particular, the question is whether a split-duty rest period or *urgent operations* FDP extension may allow for the FDP to be further extended once the normal FDP limit has been exhausted.

Example: Bloggs is working a single-pilot night shift (rostered shift period 1800-0800), and commences their FDP at 1800. Bloggs works continuously until 0400 at which time he has completed the last flight sector and has returned to base with access to suitable sleeping accommodation. At the completion of all post flight duty at 0400, Bloggs has used up all of the 'normal' FDP permitted for a single-pilot FDP commencing at 1800 (10hrs). Bloggs' rostered shift period for the night shift continues until 0800, at which time the day shift crew will arrive at work.

**The question is, can we allow Bloggs to commence a split-duty rest period (SDRP) at 0400 and/or allow further duty if all of the criteria applicable to an *urgent operations* extension are met?**

The two scenarios below continue on from the example above to demonstrate how the SDRP and/or the *urgent operations* extension may be applied to allow the FCM to extend their FDP and resume flying operations:

1: Bloggs commences his split-duty rest period at 0400, and at 0500 receives a call from the flight dispatcher for a high-speed motor vehicle accident with seriously injured occupants. The task meets the *urgent operations* criteria and the FCM conducts a fatigue self-assessment and crew check to confirm that the crew are all fit to fly. The FCM calls

the HOFO and received authorisation to extend their FDP to conduct the *urgent operation*. In this case the SDRP does not allow for any extension to FDP because it was less than 2hrs. The FCM is able to extend their FDP until no later than 0800 inclusive of the *urgent operations* extension (total 14 hr FDP 1800-0800).

2. Bloggs commences his split duty rest period at 0400, and at 0600 receives a call from the flight dispatcher for a high-speed motor vehicle accident with seriously injured occupants. The task meets the *urgent operations* criteria and the FCM conducts a fatigue self-assessment and crew check to confirm that the crew are all fit to fly. The FCM calls the HOFO and received authorisation to extend their FDP to conduct the *urgent operation*. In this case the SDRP allows for an extension to FDP equivalent to the total duration of the SDRP (2hrs). The FCM is able to extend their FDP until no later than 1000 inclusive of the *urgent operations* extension and SDRP (total 16 hr FDP 1800-1000).

To seek clarification about the correct application of the normal FDP limit and subsequent extensions to the limit, I submitted the question to GDC. I have attached the GDC question and their response for reference. One of the FCMs who raised the question within Babcock also independently raised a similar question with GDC and received a response which is potentially inconsistent with the response that I received.

I would appreciate your confirmation that the above description and example of an FDP that is extended beyond the normal limit be either SDRP and/or urgent operations extension is the correct interpretation and application of the relevant provisions in our FRMS manual.

Please feel free to contact me for further clarification if required.

Thanks,

s 22

s 22 || s 47F  
s 47F



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## Phengrasmy, Keeley

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**From:** Regulatory Guidance  
**Sent:** Saturday, 20 May 2023 9:54 AM  
**To:** Camero, Justine  
**Subject:** CS0001086 - Fatigue - Rationale for 10.5hr flight time limit [SEC=OFFICIAL]

**OFFICIAL**

[CS0001086 | Case | ServiceNow \(service-now.com\)](#)

System

Email sent  
 Enquiry CS0001086 has been resolved  
 Regulatory Guidance<casaprod@service-now.com>  
 s 47F  
[Hide email details](#)

Thank you for contacting us with your enquiry.

Enquiry number CS0001086

**Question:** What is CASA's Safety Case for imposing a "flight time limit" on 2 crew operations under CAO48.1 Appendix 2 that is up to 2.5 hours less than the permitted Flight Duty Period and why does this not apply to augmented operations? Example for two crew operations with FDP commencing between 0700 and 1259, the maximum flight time for two crew operations (at any time of the day) is 10.5 hours. Why?

**Answer:** The CASA rationale for the 10.5hr flight time limit can be found in the CAO 48.1 summary of consultation document at this link - [Summary of Australia's Fatigue Rules](#).

If you would like to suggest a change to the rules, this may be submitted to CASA following the links on this webpage - [Suggesting improvements to Aviation Safety Authority \(casa.gov.au\)](#).

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can message [here](#).

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Ref:MSG0006791\_fvozVaoZk88OvRsGYuEJ

---

**From:** Regulatory Guidance <casaprod@service-now.com>  
**Sent:** Monday, March 6, 2023 12:14 PM  
**To:** s 47F  
**Subject:** Enquiry CS0001086 has been resolved

Thank you for contacting us with your enquiry.

Enquiry number CS0001086

**Question:** What is CASA's Safety Case for imposing a "flight time limit" on 2 crew operations under CAO48.1 Appendix 2 that is up to 2.5 hours less than the permitted Flight Duty Period and why does this not apply to

augmented operations? Example for two crew operations with FDP commencing between 0700 and 1259, the maximum FDP is 13 hours, however the maximum flight time for two crew operations (at any time of the day) is 10.5 hours. Why?

**Answer:** The CASA rationale for the 10.5hr flight time limit can be found in the CAO 48.1 summary of consultation document at this link - [Summary of Consultation - Modernising Australia's Fatigue Rules](#).

If you would like to suggest a change to the rules, this may be submitted to CASA following the links on this webpage - [Suggesting improvements to civil aviation safety rules | Civil Aviation Safety Authority \(casa.gov.au\)](#).

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message [here](#).

If you have more questions after your enquiry has closed, please send us a new enquiry [here](#).

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**Phengrasmy, Keeley**

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**From:** Regulatory Guidance  
**Sent:** Saturday, 20 May 2023 9:54 AM  
**To:** Camero, Justine  
**Subject:** CS0001703 - Fatigue - URGENT - Flight Duty Period [SEC=OFFICIAL]

**OFFICIAL**

[CS0001703 | Case | ServiceNow \(service-now.com\)](https://CS0001703 | Case | ServiceNow (service-now.com))

Released under Freedom of Information

 Email sent  
Subject: Enquiry CS0001703 has been resolved  
From: Regulatory Guidance<casaprod@service-now.com>  
To: Mark.Ayrey@casa.gov.au  
[Hide email details](#)

Thank you for contacting us with your enquiry.

Enquiry number CS0001703

Recently, some flight crew and operators have queried with CASA the application of this definition in day of operations. The queries relate to:

**QUESTION 1:** Whether a crew member may depart on the final sector of their FDP knowing they will enter into discretion (assuming the pilot in command is satisfied the flight crew member considers themselves fit for the extension)?

**ANSWER 1:** Section 4.5.7 of the [CAAP 48-01 - Fatigue management for flight crew members](#) refers to extensions due to unforeseen operational circumstances behind the use of the term 'unforeseen circumstances', that includes the impact of weather patterns, is to prevent operators continually rostering flight and duty maximum limits and regularly relying on extensions to achieve their operational goals.

Consequently, CAAP 48-01 states; 'Extensions should only occur under 5% of any sample of similar flight duty period (FDP) or similar operations'. Therefore, if an operator experiences extensions greater than 5% of the sample the operator should consider revising their practices. Extensions beyond FDP limits should not be made.

Section 6 of the [Civil Aviation Order 48.1](#) (CAO 48.1) defines an unforeseen operational circumstance; as a "means an unplanned exceptional event that becomes evident after the commencement of the FDP, such as *unforecast weather, equipment malfunction, or air traffic delay*".

For all operations, a circumstance is only unforeseen if it occurs after the FDP has commenced. - see definition.

- If an unforeseen circumstance occurs after the FDP commencement, then an FDP can be extended but all other limitations must be respected.
- If an unforeseen circumstance occurs after the take-off of the final sector, an FDP can be extended, and other limitations may be breached (Appendix 4 of CAO 48.1).

If a traffic or weather condition existed that could affect the crew's ability to complete the final sector within the allotted duty period, and this event was forecast, the intent is for the extension not to be utilised.

In addition to the above, at all times the FCM must ensure that are fit to fly as per [regulation 91.520 of the CASR](#) and do not operate the aircraft in a manner that would contravene [regulation 91.055 of the CASR](#).

**QUESTION 2:** Whether traffic and weather holding are to be added to the scheduled block time for the purposes of assessing whether crew are likely to extend the maximum permissible flight duty period?

**ANSWER 2:** Forecast weather and ATC delays need not be added to the scheduled block time - because these may, or may not occur and any delays may not be forecast (experiencing 60 minutes of holding at four ports in one FDP is considered operationally unlikely) however there is a commercial risk that the assigned FDP will not be able to be completed as planned.

Section 4.3.4 of CAAP 48-01 notes that rosters should be designed to cater for reasonably foreseeable delays such as taxi requirements, holding requirements for operational extensions. Thusly, many operators plan to complete an FCM's FDP at a time sooner than the maximum FDP sign-off time as a buffer for typical or known holding circumstances. Operators who do not roster in this manner run a risk that the FDP tasking will not be able to be completed as assigned.

This does not necessarily equate to adding weather and traffic holding to scheduled block times.

The utilising of the extension function by the FCM allows a mechanism to achieve a desirable operational outcome in the instance of unforeseen operational circumstances. If the weather condition was forecast BEFORE the time the FDP commences, it would not be 'unforeseen'.

## SCENARIOS

The operational application of the rules regarding extensions is perhaps best illustrated by some hypothetical scenarios:

An FCM is assigned an FDP, in a two-pilot operation, with a sign-on at 0530 and four sectors resulting in a maximum rostered FDP for 10.5 hours - if operating in accordance with CAO 48.1 Appendix 2, FDP limits may differ when operating to another appendix or in accordance with an approved FRMS.

### SCENARIO 1

At sign-on the weather forecast included the carriage of 60 minutes holding fuel due to forecast TEMPO conditions at each of the ports. Since the TEMPO conditions were forecasted, they are not unforeseen in which case the FDP cannot be extended. As the forecast actual holding at each port may, or may not occur, the FDP will commence as normal. If some amount of holding time does occur, then the operator and FCM must assess whether the four sectors can be completed within the assigned FDP period. If the four sectors cannot be completed within the assigned FDP an extension is not available to the FCM or operator.

### SCENARIO 2

At sign-on there is no forecast weather holding or NOTAM of ATC holding. If after sign-on (that is, the FDP has commenced) weather or ATC delay or equipment failure occurs (unforeseen at sign-on) then an FDP extension is available within the extension limits of either the CAO 48.1 Appendices or approved FRMS. In this scenario the crew may depart on the final sector of an FDP knowing that they will be exercising the extension provisions of either the relevant CAO 48.1 Appendix or approved FRMS.

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry message [here](#).

If you have more questions after your enquiry has closed, please send us a new enquiry [here](#).

Regards,

CASA\Guidance Delivery Centre

**From:** Regulatory Guidance [caspaproductivity@service-now.com](mailto:caspaproductivity@service-now.com)

**Sent:** Monday, April 17, 2023 1:33 PM

**To:** Mark.Ayrey@casa.gov.au

**Subject:** Enquiry CS0001703 has been resolved

Thank you for contacting us with your enquiry.

Enquiry number CS0001703

Recently, some flight crew and operators have queried with CASA the application of this definition in day of operations. The queries relate to:

**QUESTION 1:** Whether a crew member may depart on the final sector of their FDP knowing they will enter into discretion (assuming the pilot in command is satisfied that each flight crew member considers themselves fit for the extension)?

**ANSWER 1:** Section 4.5.7 of the [CAAP 48-01 - Fatigue management for flight crew members](#) refers to extensions due to unforeseen operational circumstances. The intention behind the use of the term 'unforeseen circumstances', that includes the impact of weather patterns, is to prevent operators continually rostering flight and duty times to their maximum limits and regularly relying on extensions to achieve their operational goals

Consequently, CAAP 48-01 states; 'Extensions should only occur under 5% of any sample of similar flight duty period (FDP) or similar operations'. Therefore, if the operator experiences extensions greater than 5% of the sample the operator should consider revising their practices. Extensions beyond FDP limits should not be made on a regular basis.

Section 6 of the [Civil Aviation Order 48.1](#) (CAO 48.1) defines an unforeseen operational circumstance, as a *"means an unplanned exceptional event that becomes evident after the commencement of the FDP, such as unforecast weather, equipment malfunction, or air traffic delay."*

For all operations, a circumstance is only unforeseen if it occurs after the FDP has commenced. - see definition

- If an unforeseen circumstance occurs after the FDP commencement, then an FDP can be extended but all other limitations must be respected.
- If an unforeseen circumstance occurs after the take-off of the final sector, an FDP can be extended, and other limitations may be breached (Appendix 2 subsection 7.7 of CAO 48.1).

If a traffic or weather condition existed that could affect the crew's ability to complete the final sector within the allotted duty period, and this event was forecast prior to the FDP the intent is for the extension **not** to be utilised.

In addition to the above, at all times the FCM must ensure that are fit to fly as per [regulation 91.520 of the CASR](#) and do not operate the aircraft in a manner that creates a hazard refer [regulation 91.055 of the CASR](#).

**QUESTION 2:** Whether traffic and weather holding are to be added to the scheduled block time for the purposes of assessing whether crew are likely to extend beyond the maximum permissible flight duty period?

**ANSWER 2:** Forecast weather and ATC delays need not be added to the scheduled block time - because these may or may not occur and any delays may not be as extensive as forecast (experiencing 60 minutes of holding at four ports in one FDP is considered operationally unlikely) however there is a commercial risk that the assigned FDP and sectors will not be able to be completed as planned.

Section 4.3.4 of CAAP 48-01 notes that rosters should be designed to cater for reasonably foreseeable delays such as taxi requirements, holding requirements without the need for operational extensions. Thusly, many operators plan to complete an FCM's FDP at a time sooner the maximum FDP sign-off time as a buffer for typical or known delay inducing circumstances. Operators who do not roster in this manner run a risk that the FDP tasking will not be able to be completed as assigned.

This does not necessarily equate to adding weather and traffic holding to scheduled block times.

The utilising of the extension function by the FCM allows a mechanism to achieve a desirable operational outcome in the instance of unforeseen operational circumstances. If the condition was forecast BEFORE the time the FDP commences, it would not be 'unforeseen'.

## **SCENARIOS**

The operational application of the rules regarding extensions is perhaps best illustrated by some hypothetical scenarios:

An FCM is assigned an FDP, in a two-pilot operation, with a sign-on at 0530 and four sectors resulting in a maximum rostered FDP for 10.5 hours - if operating under the limits of CAO 48.1 Appendix 2. FDP limits may differ when operating to another appendix or in accordance with an approved FRMS.

### **SCENARIO 1**

At sign-on the weather forecast included the carriage of 60 minutes holding fuel due to forecast TEMPO conditions at each of the ports. Since the TEMPO conditions are forecasted, they are not unforeseen in which case the FDP cannot be extended. As the forecast actual holding at each port may, or may not occur, the FDP and flight sectors can commence as normal. If some amount of holding time does occur, then the operator and FCM must assess whether the four sectors can be completed within the assigned FDP period. If the four sectors cannot be completed within the assigned FDP an extension is not available to the FCM or operator.

### **SCENARIO 2**

At sign-on there is no forecast weather holding or NOTAM of ATC holding. If after sign-on (that is, the FDP has commenced) weather or ATC delay or equipment malfunction occurs (unforeseen at sign-on) then an FDP extension is available within the extension limits of either the CAO 48.1 Appendices or approved FRMS. In this scenario, the FCM can depart on the final sector of an FDP knowing that they will be exercising the extension provisions of either the relevant CAO 48.1 Appendix or approved FRMS.

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message [here](#).

If you have more questions after your enquiry has closed, please send us a new enquiry [here](#).

Regards,

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**From:** [Regulatory Guidance](#)  
**To:** [Sundstrom, Rodney](#)  
**Bcc:** [Anastasi, Adam](#); [Camero, Justine](#)  
**Subject:** RE: CASE ENQ-21-127917 - Response to Guidance Query - Maximum hours of flight time a flight instructor can conduct as flight training [SEC=OFFICIAL] CRM:000434001955  
**Date:** Monday, 20 December 2021 9:44:41 AM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)  
[image.png](#)  
[image004.png](#)  
[image003.png](#)  
[image001.png](#)  
[image002.png](#)

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Dear Rodney Sundstrom,

The CASA Guidance Delivery Centre has been experiencing a very high volume of enquiries and as a result enquiry processing times have been significantly longer than usual.

Please find the CASA response to your query below:

**Question:**

So can an instructor, instruct for a normal duty (more than 7 hours) or must they stop at 7 hours? Yes or No. The below does not give me my answer and I now have 2 141 organisations working differently under this appendix in which I want to be able to give them a straight answer.

**Answer:**

Please Refer to Appendix 4 sub-clause 2.2 of CAO 48.1 here quoted:

*2.2 An FCM must not be assigned or commence flight time for flight training during an FDP unless the flight training is conducted during the first 7 hours of the FDP's FLIGHT TIME.*

In answer to your questions:

An instructor can only conduct *flight training* (instruct) for a maximum of 7 hours flight time (increased to 7.5 hours due to unforeseen operational circumstances) during a FDP.

The *flight training* flight time can take place any time during the FDP provided that it is conducted within the first 7 hours of the instructor's *total* flight time.

The instructor's *total* flight time for a FDP including *flight training* and other flight time (eg Charter ops) is restricted to the cumulative flight time limits in clause 9 of appendix 4.

Example:

In an FDP an instructor first conducts a Charter of 2.5 flight hours. The same instructor is subsequently available to be assigned or commence flight training duties for a maximum cumulative flight time of 4.5 hours. Any remaining time available in the FDP may only be assigned as flight time NOT associated with flight training.

This guidance is current and accurate at the time of receiving this notification, and is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.

If you require further clarification relating to this matter, please reply to this email and quote the reference number CASE ENQ-21-127917.

Best Regards,

**Guidance Delivery Centre**  
**CASA\Aviation Group**  
[e: regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)  
[www.casa.gov.au](http://www.casa.gov.au)



We welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

----- Original Message -----

**From:** Rodney Sundstrom <[rodney.sundstrom@casa.gov.au](mailto:rodney.sundstrom@casa.gov.au)>;  
**Received:** Wed Nov 17 2021 12:57:03 GMT+1100 (Australian Eastern Daylight Time)  
**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;  
**Subject:** RE: CASE ENQ-21-127917 - Response to Guidance Query CRM:000885000860  
[SEC=OFFICIAL]

**OFFICIAL**

Hi Guidance,

So can an instructor, instruct for a normal duty(more than 7 hours) or must they stop at 7 hours? Yes or No. The below does not give me my answer and I now have 2 141 organisations working differently under this appendix in which I want to be able to give them a straight answer.

Regards

**Rodney Sundstrom**

**Flying Operations Inspector – Adelaide**  
**Regulatory Oversight Division | CASA**

**Civil Aviation Safety Authority**

**p: (02) 8651 3033 m: 0428 358 711**

**GPO Box 2005, Canberra ACT 2601**

**[www.casa.gov.au](http://www.casa.gov.au)**

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**From:** Regulatory Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>

**Sent:** Wednesday, 6 October 2021 3:27 PM

**To:** Sundstrom, Rodney <[Rodney.Sundstrom@casa.gov.au](mailto:Rodney.Sundstrom@casa.gov.au)>

**Subject:** CASE ENQ-21-127917 - Response to Guidance Query[SEC=OFFICIAL]

CRM:000885000860

Dear Rodney Sundstrom,

Thank you for contacting the Regulatory Services and Surveillance Guidance Delivery Centre. Please find below the CASA response to your query:

**Question:** In CAO (CAO) 48.1 2019 Appendix 4 Any Operation.

Part 2.2 states: An FCM must not be assigned or commence flight time for flight training during a FDP unless the flight training is conducted during the first 7 hours of the FDP's flight time.

The above was there when App 4 was Single Pilot Operations and was based on that a pilot should not be expected to conduct a training flight or proficiency check if the pilot has already completed a duty.

Now as appendix 4 is any operation my question is can an instructor do a full duty of instructing say 10 hours or does an instructor under App 4 only allowed to go to 7 hours of duty?

**Answer:** An instructor is a Flight Crew Member (FCM) and as such would operate as per the company operations manual ([Civil Aviation Regulation 1988](#) (CAR) 215 (9)) which should include, Appendix 4. Please refer CAR section 215 Operations Manual para (9) which states -

(9) Each member of the operations personnel of an operator shall comply with all instructions contained in the operations manual in so far as they relate to his or her duties or activities.

Below are additional definitions and information to assist your query.

CAO 48.1 Instrument 2019

section 6 Definitions states -

**flight crew member** (or **FCM**) has the same meaning as in the Regulations. The abbreviation **FCMs** means more than 1 FCM.

**Note** Under Part 1 of the CASR Dictionary, **flight crew member** means a crew member who is a pilot or flight engineer assigned to carry out duties essential to the operation of an aircraft during flight time. Any reference to **flight crew** has a corresponding meaning.

**flight duty period** (or **FDP**) means a period of time which:

- (a) starts when a person is required by an AOC holder to report for a duty period in which 1 or more flights as an FCM are undertaken; and

(b) ends at the later of:

- (i) the person's completion of all duties associated with the flight, or the last of the flights; or
- (ii) 15 minutes after the end of the person's flight, or the last of the flights.

**section 10 Limit on cumulative duty time states -**

- ).1 The cumulative duty accrued by an FCM during any consecutive 168-hour period must not exceed 60 hours.
- ).2 The cumulative duty accrued by an FCM during any consecutive 336-hour period must not exceed 100 hours.

*Note* 168 hours is the number of hours in a 7-day period, and 336 hours is the number of hours in a 14-day period.

**section 14 AOC holder obligations states -**

Operations manual

- I.3 The AOC holder must include in the operations manual:

- (a) the limits arising from compliance with each applicable Appendix of this CAO that the holder has chosen to apply to an FCM, showing:
  - (i) each maximum limit under the Appendix which must not be exceeded; and
  - (ii) each minimum limit under the Appendix which must not be reduced; and

*Note 1* For example, taking into account the provisions of an applicable Appendix, an FDP *limit* must not be exceeded, and an *off-duty period* must not be reduced.

*Note 2* An AOC holder with an FRMS implementation approval must include relevant limits in the operations manual (see subclauses 2.5 and 3.2 in Appendix 7).

- (b) for FCMs conducting a particular operation — each limit mentioned in subparagraph (a) as modified by the AOC holder for the FCMs and the operation, but not so as to exceed a maximum limit, or reduce a minimum limit, set out in the applicable Appendix; and
- (c) where the need to take account of possible hazards arises under subsection 15 — for FCMs conducting a particular operation, each limit mentioned in subparagraph (b) as modified by taking the possible hazard into account.

Employee responsibilities

- I.4 An AOC holder must set out in the operations manual its employees' responsibilities for operational fatigue management, and fatigue risk management. Please use this link [Civil Aviation Order 48.1 Instrument 2019 \(legislation.gov.au\)](https://legislation.gov.au/Details/C2019A00481)

Below is the link to the [CAO 48.1 Instrument plain english guide version 2.0 \(casa.gov.au\)](https://legislation.gov.au/Details/C2019A00481) to provide additional reference material.

Please note that the guidance provided is current and accurate at the time of receiving this notification, however is subject to change over time at the discretion of the policy holder which may impact the accuracy of this information.

If you believe your query has not been answered, please reply to this email and quote the reference number CASE ENQ-21-127917 and we will do our best to resolve this ticket as soon as possible for you. If we do not hear from you within **3 business days**, this ticket will be automatically closed.

As the *Guidance function* has been recently launched, we welcome any improvement feedback addressed to [guidance.feedback@casa.gov.au](mailto:guidance.feedback@casa.gov.au)

Best Regards

**Guidance Delivery Centre**

**CASA\Aviation Group**

e: [regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)



----- Original Message -----

**From:** Civil Aviation Safety Authority <[casa.noreply@govcms.gov.au](mailto:casa.noreply@govcms.gov.au)>;  
**Received:** Thu Sep 30 2021 09:10:35 GMT+1000 (Australian Eastern Standard Time)  
**To:** Guidance <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>; Guidance Delivery Queue <[regguidance@casa.gov.au](mailto:regguidance@casa.gov.au)>;  
**Subject:** Form submission from: Regulatory Guidance Enquiry - 126641 [SEC=OFFICIAL]

First Name Rodney  
Last Name Sundstrom  
casa\_arn [REDACTED]  
Email [rodney.sundstrom@casa.gov.au](mailto:rodney.sundstrom@casa.gov.au)  
Phone [REDACTED]  
casa\_kindofenquiry Flight Operations

In CAO 48.1 2019 Appendix 4 Any Operation

Part 2.2 states An FCM must not be assigned or commence flight time for flight training during a FDP unless the flight training is conducted during the first 7 hours of the FDP's flight time.

Query The above was there when App 4 was Single Pilot Operations and was based on that a pilot should not be expected to conduct a training flight or proficiency check if the pilot has already completed a duty.

Now as appendix 4 is any operation my question is can an instructor do a full duty of instructing say 10 hours or does an instructor under App 4 only allowed to go to 7 hours of duty?

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Enquiry ID	Main Category	Category	Subject	SME/LI RA Input	Status Reason	Enquirer	Assignee	Created	Last Action Date	Search term hits	Comments	Response
<a href="#">CS0001086</a>	Safety management, drug & alcohol management or fatigue	Fatigue	Rationale for 10.5hr flight time limit	Yes	Closed	s 22 [REDACTED]	Ashleigh Kraft	02/02/2023 11:24:15	06/03/2023 12:14:13	FDP, flight duty period	Email saved to folder	<p>System Email sent • 06/03/2023 12:14:25</p> <p>Email sent Subject: Enquiry CS0001086 has been resolved</p> <p>From: Regulatory Guidance &lt;casaprod@servicenow.com&gt;</p> <p>To: S 47F [REDACTED].au</p> <p>Hide email details Thank you for contacting us with your enquiry.</p> <p>Enquiry number CS0001086</p> <p>Question: What is CASA's Safety Case for imposing a "flight time limit" on 2 crew operations under CAO48.1 Appendix 2 that is up to 2.5 hours less than the permitted Flight Duty Period and why does this not apply to augmented operations?</p> <p>Example for two crew operations with FDP commencing between 0700 and 1259, the maximum FDP is 13 hours, however the maximum flight time for two crew operations (at any time of</p>

the day) is 10.5 hours. Why? Answer: The CASA rationale for the 10.5hr flight time limit can be found in the CAO 48.1 summary of consultation document at this link - Summary of Consultation - Modernising Australia's Fatigue Rules.

If you would like to suggest a change to the rules, this may be submitted to CASA following the links on this webpage - Suggesting improvements to civil aviation safety rules | Civil Aviation Safety Authority (casa.gov.au). Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here. If you have more questions after your enquiry has closed, please send us a new enquiry here.

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OvRsGYuEJ

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CS0001 703	Safety management, drug & alcohol management or fatigue	Fatigue	URGENT - Flight Duty Period	Yes	Close d	Mark Ayrey	Ashleigh Kraft	05/04/2023 08:26:02	17/04/2023 13:33:00	FDP, flight duty period, Unforeseen Operational Circumstances, Unforeseen Operational Circumstance, FDP extension,	Email saved to folder	System Email sent • 17/04/2023 13:33:10 Email sent Subject: Enquiry CS0001703 has been resolved From: Regulatory Guidance <casaprod@service-now.com> To: Mark.Ayrey@casa.gov.au Hide email details Thank you for contacting us with your enquiry.  Enquiry number CS0001703 Recently, some flight crew and operators have queried with CASA the application of this definition in day of operations. The queries relate to: QUESTION 1: Whether a crew member may depart on the final sector of their FDP knowing they will enter into discretion (assuming the pilot in command is satisfied that each flight crew member considers themselves fit for the extension)? ANSWER 1: Section 4.5.7 of the CAAP 48-01 - Fatigue management for flight crew members refers to extensions due to unforeseen operational circumstances. The intention behind the use of the term
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'unforeseen circumstances', that includes the impact of weather patterns, is to prevent operators continually rostering flight and duty times to their maximum limits and regularly relying on extensions to achieve their operational goals. Consequently, CAAP 48-01 states; 'Extensions should only occur under 5% of any sample of similar flight duty period (FDP) or similar operations'. Therefore, if the operator experiences extensions greater than 5% of the sample the operator should consider revising their practices. Extensions beyond FDP limits should not be made on a regular basis. Section 6 of the Civil Aviation Order 48.1 (CAO 48.1) defines an unforeseen operational circumstance, as a "means an unplanned exceptional event that becomes evident after the commencement of the FDP, such as unforecast weather, equipment malfunction, or air traffic delay." For all operations, a circumstance is only unforeseen if it occurs after the FDP has commenced. - see definition

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											ANSWER 2: Forecast weather and ATC delays need not be added to the scheduled block time - because these may, or may not occur and any delays may not be as extensive as forecast (experiencing 60 minutes of holding at four ports in one FDP is considered operationally unlikely) however there is a commercial risk that the assigned FDP and sectors will not be able to be completed as planned. Section 4.3.4 of CAAP 48-01 notes that rosters should be designed to cater for reasonably foreseeable delays such as taxi requirements, holding requirements without the need for operational extensions. Thusly, many operators plan to complete an FCMs FDP at a time sooner the maximum FDP sign-off time as a buffer for typical or known delay inducing circumstances. Operators who do not roster in this manner run a risk that the FDP tasking will not be able to be completed as assigned. This does not necessarily equate to adding weather and traffic holding to scheduled block times. The utilising of the extension
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function by the FCM allows a mechanism to achieve a desirable operational outcome in the instance of unforeseen operational circumstances. If the condition was forecast BEFORE the time the FDP commences, it would not be 'unforeseen'.

#### SCENARIOS

The operational application of the rules regarding extensions is perhaps best illustrated by some hypothetical scenarios: An FCM is assigned an FDP, in a two-pilot operation, with a sign-on at 0530 and four sectors resulting in a maximum rostered FDP for 10.5 hours - if operating under the limits of CAO 48.1 Appendix 2. FDP limits may differ when operating to another appendix or in accordance with an approved FRMS.

#### SCENARIO 1

At sign-on the weather forecast included the carriage of 60 minutes holding fuel due to forecast TEMPO conditions at each of the ports. Since the TEMPO conditions are forecasted, they are not unforeseen in which case the FDP cannot be extended. As the forecast actual holding at

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each port may, or may not occur, the FDP and flight sectors can commence as normal. If some amount of holding time does occur, then the operator and FCM must assess whether the fours sectors can be completed within the assigned FDP period. If the fours sectors cannot be completed within the assigned FDP an extension is not available to the FCM or operator.

#### SCENARIO 2

At sign-on there is no forecast weather holding or NOTAM of ATC holding. If after sign-on (that is, the FDP has commenced) weather or ATC delay or equipment malfunction occurs (unforeseen at sign-on) then an FDP extension is available within the extension limits of either the CAO 48.1 Appendices or approved FRMS. In this scenario, the FCM can depart on the final sector of an FDP knowing that they will be exercising the extension provisions of either the relevant CAO 48.1 Appendix or approved FRMS. Your enquiry will close automatically after 5 days. If

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you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here. If you have more questions after your enquiry has closed, please send us a new enquiry here.

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<a href="#"><u>ENQ-22-153668</u></a>	Flight Operations	48.1 - Fatigue	MEDIUM - Definition of "Weather patterns"	Yes	Resolved	s 22 [REDACTED]	Renee Karssen	27/10/2022 17:53:00	03/11/2022 08:31:00		Email not found. No GDC response - Failed to deliver	
<a href="#"><u>ENQ-22-154678</u></a>	Flight Operations	48.1 - Fatigue	COMPLEX - FW: Babcock MCS - FRMS - request for clarification of FDP rules (OFFICIAL) [SEC=OFFICIAL]	Yes	Resolved	Mark Ayrey	Renee Karssen	11/11/2022 12:04:11	21/11/2022 10:03:48	FDP, FDP extension	Email saved to folder	
<a href="#"><u>ENQ-22-143820</u></a>	Flight Operations	48.1 - Fatigue	MEDIUM - Application of urgent operations FDP extensions in accordance with CAO 48.1, appendix 4B	No - Referenced from previous enquiry	Resolved	s 22 [REDACTED]	Renee Karssen	26/07/2022 10:45:08	08/12/2022 08:43:22	FDP, FDP discretion, FDP extension, FDP extensions	Email saved to folder	

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<a href="#"><u>ENQ-22-143265</u></a>	Flight Operations	48.1 - Fatigue	ESC - FDP extensions	Yes	Resolved	s 22 [REDACTED]	Sue Guerin	20/07/2022 09:51:37	11/08/2022 11:44:55	FDP, Unforeseen Operational Circumstances, Unforeseen Operational Circumstance,	Email saved to folder	
<a href="#"><u>ENQ-22-141692</u></a>	Flight Operations	48.1 - Fatigue	ESC - Flight operations rules enquiries > Page components	Yes	Resolved	s 22 [REDACTED]	Renee Karssen	06/07/2022 15:55:37	18/07/2022 09:35:02	FDP, FDP extension, flight duty period	Email saved to folder	
<a href="#"><u>ENQ-22-139433</u></a>	Flight Operations	48.1 - Fatigue	Reassignment and extension of FDP	No	Resolved	s 22 [REDACTED]	Sue Guerin	25/05/2022 10:59:43	27/06/2022 11:48:25	FDP	Email saved to folder	
<a href="#"><u>ENQ-22-136472</u></a>	Flight Operations	48.1 - Fatigue	Flight Duty Period	No	Resolved	s 22 [REDACTED]	Justine Camero	16/02/2022 10:17:34	14/04/2022 15:09:39	FDP, FDP discretion	Email saved to folder	

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<a href="#"><u>ENQ-21-127917</u></a>	Flight Operations	91 - General operating and flight rules	Flight Operations	Yes	Resolved	Rodney Sundstrom	Justine Camero	30/09/2021 09:13:45	23/11/2021 18:12:07	FDP	Email saved to folder	
<a href="#"><u>ENQ-21-125346</u></a>	SMS & DAMP	5 - Safety management	Regulatory Administration and Enforcement	Yes	Resolved	s 22 [REDACTED]	Larry Schoenberg	17/08/2021 14:22:19	29/10/2021 15:11:10	FDP	Email saved to folder	
<a href="#"><u>ENQ-21-124753</u></a>	Flight Operations	91 - General operating and flight rules	Private operations and Flight Duty Period (FDP)	No - Referenced from previous enquiry	Resolved	s 22 [REDACTED]	Justine Camero	04/08/2021 14:01:55	09/08/2021 12:53:38	FDP, flight duty period	Email saved to folder	
<a href="#"><u>ENQ-21-124710</u></a>	Flight Operations	91 - General operating and flight rules	FDP extension limit	Yes	Resolved	s 22 [REDACTED]	Sue Guerin	03/08/2021 15:38:01	25/08/2021 07:36:51	FDP, Unforeseen Operational Circumstances, Unforeseen Operational Circumstance, FDP discretion,	Email saved to folder	

<a href="#"><u>ENQ- 22- 137106</u></a>	Flight Operations	48.1 - Fatigue	Extending duty period	No	Resolved	s 22 [REDACTED]	Ashleigh Kraft	03/03/2022 13:56:00	14/04/2022 13:27:00		Email saved to folder	
<a href="#"><u>ENQ- 22- 137530</u></a>	Flight Operations	48.1 - Fatigue	Definition of 'part thereof'	Yes	Resolved	s 22 [REDACTED]	Justine Camero	14/03/2022 16:27:00	16/05/2022 17:01:00		Email saved to folder	

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Enquiry ID	Main Category	Category	Subject	Complexity	Status Reason	Enquirer	Assignee	Created	Last Action Date	Search term hits	Comments	Response
<a href="#">CS0001086</a>	Safety management, drug & alcohol management or fatigue	Fatigue	Rationale for 10.5hr flight time limit	Medium	Closed	s 22 [REDACTED]	Ashleigh Kraft	02/02/2023 11:24:15	06/03/2023 12:14:13	FDP, flight duty period	Email saved to folder	<p>System Email sent • 06/03/2023 12:14:25</p> <p>Email sent</p> <p>Subject: Enquiry CS0001086 has been resolved</p> <p>From: Regulatory Guidance &lt;casaprod@servicenow.com&gt;</p> <p>To: [REDACTED] u</p> <p>Hide email details</p> <p>Thank you for contacting us with your enquiry.</p> <p>Enquiry number CS0001086</p> <p>Question: What is CASA's Safety Case for imposing a "flight time limit" on 2 crew operations under CAO48.1 Appendix 2 that is up to 2.5 hours less than the permitted Flight Duty Period and why does this not apply to augmented operations? Example for two crew operations with FDP commencing between 0700 and 1259, the maximum FDP is 13 hours, however the maximum flight time for two crew operations (at any time of the day) is 10.5 hours. Why?</p> <p>Answer: The CASA rationale for the 10.5hr flight time limit can</p>

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be found in the CAO 48.1 summary of consultation document at this link - [Summary of Consultation - Modernising Australia's Fatigue Rules](#).

If you would like to suggest a change to the rules, this may be submitted to CASA following the links on this webpage - [Suggesting improvements to civil aviation safety rules | Civil Aviation Safety Authority \(casa.gov.au\)](#).

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message [here](#).

If you have more questions after your enquiry has closed, please send us a new enquiry [here](#).

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CS0001 703	Safety management, drug & alcohol management or fatigue	Fatigue	URGENT - Flight Duty Period	Comple x	Close d	Mark Ayrey	Ashleig h Kraft	05/04/2023 08:26:02	17/04/2023 13:33:00	FDP, flight duty period, Unforeseen Operational Circumstances, Unforeseen Operational Circumstance, FDP extension,	Email saved to folder	System Email sent • 17/04/2023 13:33:10 Email sent Subject: Enquiry CS0001703 has been resolved From: Regulatory Guidance <casaprod@servicenow.com> To: Mark.Ayrey@casa.gov.au Hide email details Thank you for contacting us with your enquiry. Enquiry number CS0001703 Recently, some flight crew and operators have queried with CASA the application of this definition in day of operations. The queries relate to:  QUESTION 1: Whether a crew member may depart on the final sector of their FDP knowing they will enter into discretion (assuming the pilot in command is satisfied that each flight crew member considers themselves fit for the extension)? ANSWER 1: Section 4.5.7 of the CAAP 48-01 - Fatigue management for flight crew members refers to extensions due to unforeseen operational circumstances. The intention behind the use of the term 'unforeseen circumstances', that includes the impact of weather patterns, is to prevent operators
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continually rostering flight and duty times to their maximum limits and regularly relying on extensions to achieve their operational goals.

Consequently, CAAP 48-01 states; 'Extensions should only occur under 5% of any sample of similar flight duty period (FDP) or similar operations'. Therefore, if the operator experiences extensions greater than 5% of the sample the operator should consider revising their practices. Extensions beyond FDP limits should not be made on a regular basis.

Section 6 of the Civil Aviation Order 48.1 (CAO 48.1) defines an unforeseen operational circumstance, as a "means an unplanned exceptional event that becomes evident after the commencement of the FDP, such as unforeseen weather, equipment malfunction, or air traffic delay."

For all operations, a circumstance is only unforeseen if it occurs after the FDP has commenced. - see definition If an unforeseen circumstance occurs after the FDP commencement, then an FDP can be extended but all other limitations must be respected.

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is considered operationally unlikely) however there is a commercial risk that the assigned FDP and sectors will not be able to be completed as planned.

Section 4.3.4 of CAAP 48-01 notes that rosters should be designed to cater for reasonably foreseeable delays such as taxi requirements, holding requirements without the need for operational extensions. Thusly, many operators plan to complete an FCMs FDP at a time sooner the maximum FDP sign-off time as a buffer for typical or known delay inducing circumstances. Operators who do not roster in this manner run a risk that the FDP tasking will not be able to be completed as assigned.

This does not necessarily equate to adding weather and traffic holding to scheduled block times.

The utilising of the extension function by the FCM allows a mechanism to achieve a desirable operational outcome in the instance of unforeseen operational circumstances. If the condition was forecast BEFORE the time the FDP commences, it

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would not be 'unforeseen'.

#### SCENARIOS

The operational application of the rules regarding extensions is perhaps best illustrated by some hypothetical scenarios:

An FCM is assigned an FDP, in a two-pilot operation, with a sign-on at 0530 and four sectors resulting in a maximum rostered FDP for 10.5 hours - if operating under the limits of CAO 48.1

Appendix 2. FDP limits may differ when operating to another appendix or in accordance with an approved FRMS.

#### SCENARIO 1

At sign-on the weather forecast included the carriage of 60 minutes holding fuel due to forecast TEMPO conditions at each of the ports. Since the TEMPO conditions are forecasted, they are not unforeseen in which case the FDP cannot be extended. As the forecast actual holding at each port may, or may not occur, the FDP and flight sectors can commence as normal. If some amount of holding time does occur, then the operator and FCM must assess whether the four sectors can be completed within the assigned FDP period. If the four sectors cannot be

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completed within the assigned FDP an extension is not available to the FCM or operator.

**SCENARIO 2**

At sign-on there is no forecast weather holding or NOTAM of ATC holding. If after sign-on (that is, the FDP has commenced) weather or ATC delay or equipment malfunction occurs (unforeseen at sign-on) then an FDP extension is available within the extension limits of either the CAO 48.1 Appendices or approved FRMS. In this scenario, the FCM can depart on the final sector of an FDP knowing that they will be exercising the extension provisions of either the relevant CAO 48.1 Appendix or approved FRMS.

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here.

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Y4ofehl6f7

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CS0001 089	Safety management, drug & alcohol management or fatigue	Fatigue	Definition of 'standby' applicable to Fatigue Management	Medium	Closed	s 22 [REDACTED]	Ashleigh Kraft	02/02/2023 13:31:04	14/02/2023 16:58:53	FDP, flight duty period	Related to FDP only	System Email sent Email sent Subject:Enquiry CS0001089 has been resolved From:Regulatory Guidance<casaprod@servicenow.com> To [REDACTED] Hide email detailsThank you for contacting us with your enquiry.
												Enquiry number CS0001089 QUESTION 1: Pilot's Semi-Annual IPC by Check Pilot in Airplane Does this count towards pilot's Flight Duty Period limits? Does this count towards pilot's Flight Time limits? Pilot's Annual Recurrency Training in Airplane Does this count towards pilot's Duty Time limits? Does this count towards pilot's Flight Time limits? ANSWER 1: Duty and Flight time undertaken in an aeroplane will be subject to the relevant Flight Duty Period (FDP) and flight time limits. Providing the type of operation applies to section 4 of Civil Aviation Order 48.1 instrument 2019. QUESTION 2. Pilot's Annual Recurrency

									Training in Full Motion Simulator  Does this count towards pilot's Duty Time limits? Does this count toward's pilot's Flight Time limits? Pilot's Semi-Annual IPC by Check Pilot in Simulator Does this count towards pilot's Duty Time limits? Does this count towards pilot's Flight Time limits? ANSWER 2 Time within the simulator is not considered under the flight time limits. Such operations (simulator) do not apply to the definition of "flight time", see below. Flight time, for an FCM [flight crew member], means such part of the total time mentioned for an aircraft in subparagraph (a) or (b) (as the case may be) which occurs while the FCM is acting as a crew member on board the aircraft: (a) in the case of a heavier-than-air aircraft — the total time from the moment at which the aircraft first moves under its own power for the purpose of taking-off, until the moment at which it comes to rest after landing; and (b) in the case of a lighter-than-air aircraft — the total time from
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the moment at which the aircraft first becomes airborne until it comes to rest on the ground, excluding any time during which the aircraft is moored.

The application of the FDP limits to a simulator duty will be dependent on when the simulator duty is carried out. Training flights in a simulator are considered duty and must be included in an FDP if they are conducted prior to a flight and are not separated from that flight by a prior off duty period. While a simulator training that is conducted after the last flight in a duty period does not need to be included in the FDP. However, consideration of the fatigue associated with the increased cognitive workload and time awake should be taken in the scheduling of the FCM(s) involved.

Note the difference in the terms duty, duty period and flight duty period (FDP). The Civil Aviation Advisory Publication CAAP 48.1 expands on some definitions used in the Civil Aviation Order (CAO) 48.1 as follows:

Duty - Any task that a person who is employed as an FCM is

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											required to carry out associated with the business of an operator. Note: This includes admin, simulator, positioning, private category operations on behalf of an operator.  Duty Period - A period of time that starts when an FCM is required by an operator to report for duty and ends when the FCM is free of all duties. A duty period includes any time spent by the FCM in positioning or administration.  flight duty period (or FDP) means a period of time which: <ul style="list-style-type: none"><li>(a) starts when a person is required by an AOC holder to report for a duty period in which 1 or more flights as an FCM are undertaken; and</li><li>(b) ends at the later of:<ul style="list-style-type: none"><li>(i) the person's completion of all duties associated with the flight, or the last of the flights; or</li><li>(ii) 15 minutes after the end of the person's flight, or the last of the flights.</li></ul></li></ul> The application of a duty period is specifically prevalent in the calculation cumulative limits and off-duty period requirements. <b>QUESTION 3.</b> Pilots Annual Oral/Written Test
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by check pilot  
Does this count towards pilot's  
Duty Time limits?

ANSWER 3.  
Significantly, statements and terms such as 'any task that a person who is employed as an FCM is required to carry out, administration and simulator' above would include training courses and tests for flight crew members, without limiting the method of presentation. Such activities would be classified as a duty. As such the time on such tasks would need to be taken into account when considering cumulative duty time.

QUESTION 4: Just wondering if there was any discussion between CASA and AFAP when developing the Appendices to CAO 48.1 Instrument 2019.

ANSWER 4: CASA can advise that consultation was undertaken with industry in regard to CAO 48.1 and the modernising of Australia's fatigue rules. There were 331 respondents to the public consultation on the proposed CAO 48.1 Instrument 2019, including the AFAP. Your enquiry will close automatically after 5 days. If you

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have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here.

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CS0001 745	Safety management, drug & alcohol management or fatigue	Fatigue	FCM rest requirements prior to FDP	Medium	Closed	s 22 [REDACTED]	Ashleigh Kraft	09/04/2023 08:55:58	03/05/2023 09:14:45	FDP	Related to FDP only	System Email sent • 03/05/2023 09:14:56 Email sent Subject: Enquiry CS0001745 has been resolved From: Regulatory Guidance <casaprod@servicenow.com> To: [REDACTED] Hide email details Thank you for contacting us with your enquiry.  Enquiry number CS0001745
												Question: Based on the regulatory guidance below, is a FCM required to have 6 days off AT home base in the 28 days before a FDP. In other words if Sydney was specified as a FCM home base but they were operating away from that home base, are they required to be returned to home base in order to meet the minimum 6 off in 28?  CAO 48.1 Appendix 2 10.6  Before beginning an FDP or

											standby, an FCM must have had a least 6 days off-duty in the 28 consecutive days before the standby or FDP commences.
											CAO 48.1 6 Definitions
											day means the period between local midnight at home base and the subsequent local midnight at home base.
											CAAP 48.1 Appendix C - Developing operations manual content - CAO 48.1 limits and associated requirements C.10.1.7
											Addressing cumulative fatigue (off-duty periods for cumulative fatigue recovery)
											The off-duty limits that relate to cumulative fatigue are the requirements for 36 hours off-duty (including two (2) local nights) in any consecutive 168-hour period, as well as the requirement for a number of full days off-duty in any consecutive 28-day period.
											Note: Appendices 4B and 5 have

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period or a series of duty periods.

It is not clear from the question the specifics of the applicable appendix that apply to the type of operator which is the focus of the query. Table 10.1 of CAO 48.1 details the Appendix that apply to the relevant operation.

As you are quoting section 10.6 of Appendix 2 of CAO 48.1, it is assumed that the query relates to an operator conducting a multi-pilot operation, except flight training.

Subparagraph 4.2(b) of Appendix 1 (All operations) details the off-duty limit of 6 days off-duty in the 28 consecutive days before the FDP commences for this type of operator. Paragraph 10.6 Appendix 2 of CAO 48.1 also notes the same.

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your

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enquiry and send us a message here.

If you have more questions after your enquiry has closed, please send us a new enquiry here.

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CS0010 814	Safety management, drug & alcohol management or fatigue	Fatigue	Flight and duty period for helicopter ground runs	Medium	Closed	s 22 [REDACTED]	Shanne n Smith	27/04/2023 10:28:47	03/05/2023 10:39:23	FDP, flight duty period	Related to FDP only	System Email sent Email sent Subject:Enquiry CS0010814 has been resolved From:Regulatory Guidance<casaprod@servicenow.com> To:[REDACTED] Hide email details Thank you for contacting us with your enquiry.  Enquiry number CS0010814
												Question: Is conducting ground runs in a helicopter recorded as a flight duty period or can it be recorded as some other duty code?  Answer: If a person is on-duty for the purposes of conducting a flight as a flight crew member (FCM), the flight duty period (FDP) has commenced. Civil Aviation Order 48.1 (CAO), page 77 defines FDP as a period of time which:  starts when a person is required

by an AOC holder to report for a duty period in which 1 or more flights as a flight crew member (FCM) are undertaken; ends at the later of: the person's completion of all duties associated with the flight, or the last of the flights, or 15 minutes after the end of the person's flight, or the last of the flights

Your enquiry will close automatically after 5 days. If you have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here.

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CS0010 818	Safety management, drug & alcohol management or fatigue	Fatigue	Retroactive change of "Standby" to "Off-duty period" for fatigue rules	Medium	Closed	s 22 [REDACTED]	Bernadette Livori	27/04/2023 10:54:46	28/04/2023 10:04:11	FDP	Related to FDP only	System Email sent • 28/04/2023 10:04:18 Email sent Subject: Enquiry CS0010818 has been resolved From: Regulatory Guidance <casaprod@servicenow.com> To: [REDACTED] Hide email details Thank you for contacting us with your enquiry.  Enquiry number CS0010818
												Question: Is it legal to retrospectively change a day allocated as "standby" to an "off duty period" if no duty was carried out on the standby day, to satisfy the legal requirement regarding off duty periods?  Answer: The definition of an off-duty period (ODP) in the Civil Aviation Order 48.1 Instrument 2019 (CAO) states:  off-duty period means a period of time during which an FCM is free of all duties and standby associated with his or her

employment.

Therefore, the CAO requires a 12-hour ODP immediately precede an extended FDP and the ODP cannot include a standby period.

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CS0011 033	Administration	Regulatory admin & enforcement procedures	NBD 15/5 - Physical copy of RePL	Simple	Resolved	s 22 [REDACTED]	Shannen Smith	11/05/2023 16:10:56	15/05/2023 14:37:15	FDP	Related to FDP only	System Email sent • 15/05/2023 14:37:30 Email sent Subject: Enquiry CS0011033 has been resolved From: Regulatory Guidance <casaprod@servicenow.com> To: [REDACTED] [REDACTED] Hide email details
												Enquiry number CS0011033  Question: Is it possible to send a colour copy of my RePL licence for record purposes ? Because the digital licence we see on the mobile app cannot be sent for a job application as a proof. Like most licenses you could have simply issued us a plastic card like the Driving license, Boat license or Forklift license. We did not atleast get that as a colour certificate / testamur.  Answer: If the digital licence available in myCASA is not sufficient for your needs, you can use this form to request a Licence print.  Your enquiry will close automatically after 5 days. If you

have any follow-up questions or have been asked to provide more information, you can access your enquiry and send us a message here.

If you have more questions after your enquiry has closed, please send us a new enquiry here.

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