



# **OVERSEAS TERRITORIES AVIATION REQUIREMENTS (OTARs)**

**Part 125**

**COMPLEX GENERAL AVIATION  
including  
CORPORATE OPERATIONS**

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Enquiries regarding the content of this publication should be addressed to:  
Manager PQS, Air Safety Support International, Northgate House, 115 High Street, Crawley,  
West Sussex, RH10 1FY.

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**CHECKLIST OF PAGES**

	<b>Page no</b>	<b>Issue no</b>	<b>Date</b>
Title page		1	January 2008
Checklist of pages	i	1	January 2008
	ii	1	January 2008
Revisions	iii	1	January 2008
Contents	iv	1	January 2008
	v	1	January 2008
	vi	1	January 2008
Subpart A	1	1	January 2008
	2	1	January 2008
	3	1	January 2008
	4	1	January 2008
Subpart B	5	1	January 2008
	6	1	January 2008
	7	1	January 2008
	8	1	January 2008
Subpart C	9	1	January 2008
	10	1	January 2008
	11	1	January 2008
	12	1	January 2008
	13	1	January 2008
	14	1	January 2008
	15	1	January 2008
	16	1	January 2008
	17	1	January 2008
	18	1	January 2008
	19	1	January 2008
	20	1	January 2008
	21	1	January 2008
Subpart E	22	1	January 2008
	23	1	January 2008
	24	1	January 2008
Subpart F	25	1	January 2008
	26	1	January 2008
	27	1	January 2008
	28	1	January 2008
	29	1	January 2008
	30	1	January 2008
	31	1	January 2008
	32	1	January 2008
	33	1	January 2008
	34	1	January 2008
	35	1	January 2008
	36	1	January 2008
	37	1	January 2008
	38	1	January 2008
Subpart G	39	1	January 2008
Subpart H	40	1	January 2008
	41	1	January 2008
	42	1	January 2008
Subpart I	43	1	January 2008
	44	1	January 2008

---

Subpart K	45	1	January 2008
Subpart L	46	1	January 2008
	47	1	January 2008
	48	1	January 2008
	49	1	January 2008

**REVISIONS**

<b>OTAR Issue</b>	<b>Subject</b>
Issue 1	Released for gazetting

# Contents

<b>CHECKLIST OF PAGES</b>	<b>i</b>
<b>REVISIONS</b>	<b>iii</b>
<b>SUBPART A - GENERAL</b>	<b>1</b>
125.1 PURPOSE	1
125.3 USE OF ENGLISH	2
125.5 LAWS, REGULATIONS AND PROCEDURES	2
125.9 POWER TO INSPECT	2
125.13 APPLICABILITY	2
125.17 APPROVAL	3
125.19 APPROVAL PROCESS	3
125.21 APPROVAL REQUIREMENTS	3
<b>SUBPART B – OPERATING REQUIREMENTS</b>	<b>5</b>
125.39 ORGANISATIONAL STRUCTURE	5
125.41 SAFETY MANAGEMENT SYSTEM	5
125.43 OPERATIONS MANUAL	5
125.47 OPERATIONAL CONTROL	7
125.49 STANDARD OPERATING PROCEDURES	7
125.53 CARRIAGE OF DANGEROUS GOODS	7
125.55 CARRIAGE OF WEAPONS AND MUNITIONS OF WAR	7
125.57 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION	8
125.59 PORTABLE ELECTRONIC DEVICES	8
<b>SUBPART C – FLIGHT OPERATIONS</b>	<b>9</b>
125.61 FLIGHT PREPARATION	9
125.63 FLIGHT CREW RESPONSIBILITIES	9
125.65 RESPONSIBILITIES OF PILOT IN COMMAND	10
125.67 CABIN CREW AT EMERGENCY EVACUATION STATIONS	10
125.73 CABIN BAGGAGE	11
125.75 FUELLING PROCEDURES	11
125.77 FUEL AND OIL REQUIREMENTS	11
125.81 CHECKLISTS	12
125.83 SIMULATING IN-FLIGHT SITUATIONS	13
125.85 USE OF FLIGHT RECORDERS	13
125.86 MINIMUM FLIGHT ALTITUDES	13
125.87 FLIGHT PLANNING	13
125.89 USE OF AERODROMES	14
125.91 AERODROME OPERATING MINIMA	14
125.93 TAKE OFF ALTERNATE AERODROMES	15
125.95 DESTINATION ALTERNATE AERODROMES	15
125.101 OPERATING IN ICING CONDITIONS	16
125.111 IN-FLIGHT PROCEDURES	16
125.115 INSTRUMENT APPROACH PROCEDURES	17
125.123 REDUCED TAKE-OFF MINIMA	17
125.125 LOW VISIBILITY APPROACHES	18
125.127 OPERATIONS IN REQUIRED NAVIGATION PERFORMANCE DESIGNATED AIRSPACE	18
125.129 MINIMUM NAVIGATION PERFORMANCE SPECIFICATION (MNPS) OPERATIONS	19
125.131 REDUCED VERTICAL SEPARATION MINIMA (RVSM)	19
125.133 ELECTRONIC NAVIGATION DATA MANAGEMENT	20
125.141 USE OF OXYGEN	20
125.143 COSMIC RADIATION	20

<b>SUBPART E PERFORMANCE</b>	<b>22</b>
125.201 GENERAL	22
125.203 PERFORMANCE DATA	22
125.211 PERFORMANCE	22
125.213 WET AND CONTAMINATED RUNWAY SURFACES	23
125.253 TAKE OFF WEIGHT	23
125.255 AEROPLANE CLIMB PERFORMANCE	23
125.257 EN ROUTE WEIGHT	24
125.259 LANDING WEIGHT	24
<b>SUBPART F — INSTRUMENT AND EQUIPMENT REQUIREMENTS</b>	<b>25</b>
125.501 GENERAL REQUIREMENTS	25
125.503 MINIMUM EQUIPMENT LIST	25
125.505 INOPERATIVE INSTRUMENTS AND EQUIPMENT	26
121.507 MARKINGS AND PLACARDS	26
125.509 LOCATION OF INSTRUMENTS AND EQUIPMENT	27
125.511 INSTRUMENTS AND EQUIPMENT	27
125.513 COMMUNICATION EQUIPMENT	28
125.515 NAVIGATION EQUIPMENT	29
125.517 TRANSPONDER	30
125.519 EMERGENCY POWER SUPPLY	30
125.520 GLASS COCKPIT SYSTEMS	30
125.521 PASSENGER SAFETY INSTRUCTIONS	30
125.525 SEATING AND SEATING RESTRAINTS	31
125.527 OXYGEN EQUIPMENT AND SUPPLIES FOR NON-PRESSURISED AIRCRAFT	31
125.529 OXYGEN EQUIPMENT AND SUPPLIES FOR PRESSURISED AIRCRAFT	32
125.531 OXYGEN INDICATORS	33
125.532 PROTECTIVE EQUIPMENT	33
125.535 FLIGHT RECORDERS	34
125.537 FLIGHT DATA RECORDER (FDR)	34
125.539 COCKPIT VOICE RECORDER (CVR)	35
125.541 DATA LINK COMMUNICATIONS	35
125.547 EMERGENCY LOCATOR TRANSMITTER	36
125.553 EMERGENCY AND SURVIVAL EQUIPMENT	37
125.557 GROUND PROXIMITY WARNING SYSTEM	37
125.559 WEATHER RADAR	38
125.561 AIRBORNE COLLISION AVOIDANCE SYSTEMS (ACAS II)	38
125.563 COSMIC RADIATION	38
<b>SUBPART G — CONTINUED AIRWORTHINESS RESPONSIBILITIES</b>	<b>39</b>
125.601 GENERAL REQUIREMENTS	39
<b>SUBPART H CREW REQUIREMENTS</b>	<b>40</b>
125.700 MINIMUM CREW	40
125.701 PROFICIENCY IN THE ENGLISH LANGUAGE	40
125.703 FLIGHT CREW QUALIFICATIONS	40
125.705 FLIGHT CREW	40
125.707 FLIGHT CREW REGENCY	41
125.709 CABIN CREW	41
125.711 TASK SPECIALISTS	41
125.715 PSYCHOACTIVE SUBSTANCES	41
<b>SUBPART I TRAINING</b>	<b>43</b>
125.751 TRAINING PROGRAMME	43
125.753 TRAINING FOR FLIGHT CREW	43
125.755 PROFICIENCY CHECKS	44
125.757 CABIN CREW	44

---

125.759	TASK SPECIALISTS	44
125.761	FLIGHT OPERATIONS OFFICERS / FLIGHT DISPATCHERS	44
125.763	SECURITY TRAINING	44
<b>SUBPART K – FLIGHT AND DUTY TIME LIMITS</b>		<b>45</b>
125.801	FATIGUE MANAGEMENT PROGRAMME	45
125.803	FLIGHT AND DUTY TIME LIMITATIONS	45
<b>SUBPART L - DOCUMENTS AND RECORDS</b>		<b>46</b>
125.901	JOURNEY LOG BOOK OR EQUIVALENT RECORD	46
125.903	DOCUMENTS TO BE CARRIED	46
125.905	AIRCRAFT FLIGHT MANUAL	47
125.907	FLIGHT RECORDERS – PRESERVING RECORDS	48
125.909	RECORDS OF EMERGENCY AND SURVIVAL EQUIPMENT	48
125.911	FATIGUE MANAGEMENT RECORDS	48
125.913	COSMIC RADIATION RECORDS	48

## **Subpart A - General**

### **125.1 Purpose**

- (a) The requirements of this Part cover corporate aviation operations and the private operation of turbine powered aircraft or large piston-engined aircraft.
- (b) This Part must be read in conjunction with other OTAR Parts in particular Part 91, which provides the general operating instructions and Rules of the Air.
- (c) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements repeat or reproduce many of the provisions of the Air Navigation (Overseas Territories) Order 2007 (“the Order”), including the Rules of the Air set out in Schedule 8 to the Order. Therefore, failure to comply with these Requirements may:
  - (1) constitute a breach of the Order; and
  - (2) result in proceedings for breaches of the Order; or
  - (3) result in the refusal of an application or renewal of an approval, certificate or licence; or
  - (4) result in action to suspend or revoke an approval, certificate or licence.
- (d) The Order details the legal obligations governing particular aviation operations. The Order specifies these obligations in rather general terms, therefore there is a provision in article 152 to the Order which requires the Governor to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which the person or organisation (the Applicant) proposing to undertake such activity will be able to satisfy the Governor as to their fulfilment of their obligations in respect of the activity or their entitlement to hold a certificate, licence or approval.
- (e) The issue of an approval indicates only that the holder is considered competent to secure the safe operation of an aircraft. The possession of such a document does not relieve the applicant from the responsibility for compliance with the Order and any other legislation in force.
- (f) Other OTAR Parts in addition to those referred to in paragraph 125.1(b) may be relevant to activities conducted under this Part. In particular, Part 1 contains definitions which apply, unless otherwise stated, to all Parts. A full list of OTAR Parts, a description of the legislative structure and the place of OTARs and OTACs within it can be viewed on the ASSI website [www.airsafety.aero](http://www.airsafety.aero).

### **125.3 Use of English**

All documentation, written communications and data (electronic or otherwise) for submission to the Governor in support of an application for an approval shall be provided in English.

### **125.5 Laws, regulations and procedures**

Each operator shall ensure that all persons employed, engaged, or contracted by the holder to perform safety-related activities, are familiar with and comply with the laws, regulations and procedures necessary to the performance of their duties.

### **125.9 Power to Inspect**

- (a) Each operator shall ensure that any person authorised by the Governor is allowed access to a place where the approved activity is taking place.
- (b) Each operator shall ensure that any person authorised by the Governor shall have access to any documentation relating to the safety of aircraft in flight. The holder of an approval shall be responsible for ensuring that, if requested to do so by an authorised person, documentation is produced within a reasonable period of time.

### **125.13 Applicability**

- (a) This Part applies to operators of aircraft registered in a Territory using, or intending to use, aircraft as described in paragraph 125.13 (b) and specified in paragraph 125.17 as requiring approval.
- (b) For the purposes of 125.13(a) the following aircraft operations are specified as requiring approval:
  - (1) operation of any aeroplane with MTWA exceeding 5,700 kg; or
  - (2) operation of any aeroplane equipped with one or more turbojet or turbofan engines; or
  - (3) operation of any aeroplane with a maximum approved seating configuration of more than 9 passenger seats; or
  - (4) any aircraft operation involving three or more aircraft that are operated by pilots employed or engaged for the purpose of flying the aircraft; or
  - (5) operation of any helicopter with MTWA exceeding 3,180 kg; or
  - (6) operation of any helicopter with a maximum approved seating configuration of more than 5 passenger seats; or

- (7) any other corporate aviation operation such as the Governor may require.

## **125.17 Approval**

- (a) Any person or organisation ('the operator') proposing to undertake any of the aircraft operations defined in paragraph 125.13 will require the written approval of the Governor unless able to comply with 125.17(b).
- (b) Where any of the aircraft operations described at 125.13 are already being carried out under the control of an Air operator's Certificate (AOC) additional approval in accordance with paragraph 125.17(a) shall not be required.
- (c) Any approval granted in accordance with paragraph 125.17(a) shall be valid for a period of three years subject to any conditions which may be attached to the approval, unless otherwise varied, suspended or revoked.

## **125.19 Approval process**

- (a) An operator seeking approval in accordance with 125.17 shall provide the Governor with such documentation as may be required by this OTAR Part.
- (b) An operator shall apply to the Governor with any documents required at least 90 days prior to the proposed commencement of the activity.

## **125.21 Approval requirements**

- (a) Any operator applying for approval in accordance with 125.17 shall:
- (1) demonstrate compliance with the requirements of 125.21(b) or the requirements of 125.21(c) at the time of application and for the duration of the approval period; and
  - (2) comply with the requirements of this OTAR Part that apply to the aircraft operation, including any additional requirement for specific operations or airworthiness approvals.
- (b) An operator who holds an IS-BAO Certificate of Registration granted by the International Business Aviation Council shall:
- (1) continue to comply with the standards of IS-BAO; and
  - (2) submit reports of audits carried out in accordance with IS-BAO procedures at intervals of not greater than 12 months, or at such intervals as the Governor may require; and
  - (3) submit details of their Safety Management System at such times as the Governor may require; and
  - (4) submit their Operations Manual at such times as the Governor may require; and

- (5) notify the Governor immediately if the IS-BAO Certificate of Registration becomes invalid.
- (c) An operator who does not hold a valid IS-BAO Certificate of Registration granted by the International Business Aviation Council shall:
- (1) submit for approval by the Governor details of a Safety Management System for the aircraft operation that complies with the requirements of 125.41; and
  - (2) submit their Operations Manual for approval by the Governor; and
  - (3) submit reports of audits carried out at intervals of not greater than 12 months, or at such intervals as the Governor may require.

## **Subpart B – Operating Requirements**

### **125.39 Organisational Structure**

- (a) An operator shall establish an organisation capable of managing the safe operation of its aircraft.
- (b) The operator shall clearly define the duties and accountabilities of those staff responsible for managing the safe operation of aircraft.

### **125.41 Safety Management System**

- (a) An operator shall establish and maintain a Safety Management System appropriate to the size and complexity of the operation.
- (b) The Safety Management System shall be described in relevant documentation and shall include, as a minimum, the following elements:
  - (1) a process to identify actual and potential safety hazards and to assess the associated risk;
  - (2) a process to develop and implement remedial action necessary to maintain an acceptable level of safety;
  - (3) provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.
  - (4) quality assurance processes to:
    - (i) identify applicable requirements, regulations and standards and demonstrate compliance with them; and
    - (ii) ensure technical manuals, checklists and other documentation are appropriately maintained and incorporate the latest amendments; and
    - (iii) ensure that training programmes maintain staff proficiency and competency.

### **125.43 Operations Manual**

- (a) Each operator shall provide an Operations Manual containing all the instructions and information necessary for operations personnel to perform their duties.
- (b) The operator shall ensure that all staff members have ready access to the Operations Manual, or to those parts of the Operations Manual that relate to their duties.
- (c) The operator shall ensure that the Operations Manual is kept up to date in a timely manner.
- (d) Amendments and revisions shall be issued to all staff members required to use the Manual.

- (e) The Operations Manual shall include at least the following elements:
- (1) table of Contents, amendment control and list of effective pages; and
  - (2) duties, responsibilities and succession of management and operating personnel; and
  - (3) details of operator safety management system; and
  - (4) operational control system; and
  - (5) MEL procedures, where applicable; and
  - (6) normal flight operations; and
  - (7) SOP's; and
  - (8) weather limitations; and
  - (9) flight & duty time limitations; and
  - (10) emergency operations; and
  - (11) accident / incident considerations; and
  - (12) personnel qualifications & training; and
  - (13) record keeping; and
  - (14) a description of the maintenance control system; and
  - (15) for aircraft with a MTWA greater than 5,700kg, details of the security programme; and
  - (16) details of any extended operations over a hostile environment; and
  - (17) procedures for steep approaches.
- (f) The organisation, content and layout of the Operations Manual shall be in a format acceptable to the Governor.

## **125.45 Operational Management**

Where an operator uses an operating base in a State other than the Territory in which the aircraft has been registered, the operator shall notify:

- (a) the Governor; and
- (b) the State in which the operating base is located.

## 125.47 Operational Control

- (a) Each operator shall ensure that the system for operational control of the aircraft is clearly defined, including the duties and accountabilities of all personnel involved.
- (b) Where contracted and sub-contract staff are used by the operator to carry out functions that relate to the safety of aircraft, the operator shall ensure that the relevant duties and accountabilities of those staff are clearly defined by the operator. The operator shall also ensure that the responsibilities of any contracting organisation and their staff are clearly defined and confirmed within the contract or agreement.
- (c) The operational control system used by the operator shall recognise the legal responsibility of the pilot-in-command for the operational control of the aircraft.

## 125.49 Standard Operating Procedures

- (a) An operator shall provide standard operating procedures for the use of aircraft crew and operations staff for every aircraft type operated.
- (b) The standard operating procedures shall contain the normal, abnormal and emergency procedures relating to the operation of aircraft.
- (c) Standard operating procedures shall be consistent with the aircraft flight manual and the aircraft checklists to be used.
- (d) Standard operating procedures shall take account of human factor principles.

## 125.53 Carriage of Dangerous Goods

The operator shall ensure that no dangerous goods are loaded or carried on an aircraft unless:

- (a) such dangerous goods are carried in accordance with the approval in writing of the Governor; and
- (b) the conditions of carriage of such dangerous goods meet the requirements of OTAR Part 92.

## 125.55 Carriage of weapons and munitions of war

- (a) The operator shall ensure that carriage of any munitions of war, or any ammunition for such munitions, shall occur only:
  - (1) with the written permission of the Governor and in accordance with any conditions contained in the permission; and
  - (2) provided that details in writing of the type, weight or quantity of any such weapon or munitions, any conditions of the permission for

carriage, and the location of the weapons or munitions are carried on board the aircraft.

- (b) The requirement for the permission of the Governor does not apply to sporting weapons and ammunition carried in accordance with paragraph 125.57.

### **125.57 Carriage of sporting weapons and ammunition**

- (a) An operator shall ensure that any sporting weapons intended to be carried by air have been notified to the operator in advance of any flight taking place.
- (b) An operator accepting the carriage of sporting weapons shall ensure that:
  - (1) the pilot in command has been notified and has agreed to the carriage of the sporting weapon(s); and
  - (2) the weapons are stowed in the aircraft in a place which is inaccessible to passengers during flight; unless the Governor has determined that compliance is impractical and accepted that other procedures might apply; and
  - (3) in the case of firearms or other weapons that can contain ammunition, they are unloaded.
- (c) An operator shall ensure that any ammunition for sporting weapons carried as baggage, is carried in accordance with OTAR Part 92.

### **125.59 Portable electronic devices**

- (a) An operator shall ensure that the operation of any mobile phone or other portable electronic device that is designed to transmit electromagnetic energy is not permitted on an aircraft unless it has been determined that the portable electronic device will not cause interference with any aircraft system or equipment of the aircraft.
- (b) The prohibition in paragraph 125.59(a) shall not apply to:
  - (1) hearing aids; and
  - (2) heart pacemakers; and
  - (3) portable voice recorders; and
  - (4) electric shavers; and
  - (5) electronic watches.

## **Subpart C – Flight Operations**

### **125.61 Flight Preparation**

The operator shall ensure, by use of all appropriate procedures, that no flight is commenced unless:

- (a) the aircraft is airworthy and holds a valid Certificate of Airworthiness; and
- (b) the aircraft is registered and holds an aircraft Certificate of Registration; and
- (c) the instruments and equipment installed in the aircraft are appropriate, taking account of the expected flight conditions; and
- (d) the weight of the aircraft and centre of gravity are such that the flight can be conducted safely, taking account of the expected flight conditions; and
- (e) any load carried is properly distributed and safely secured; and
- (f) the aircraft operating limitations, contained in the flight manual, or equivalent, will not be exceeded.

### **125.63 Flight crew responsibilities**

Each operator shall ensure that all flight crew are familiar with and comply with the laws, regulations and procedures necessary to a flight, including but not limited to the following:

- (a) the appropriate sections of the Order; and
- (b) the Overseas Territories Aviation Requirements; and
- (c) any applicable conditions on the operator's approval; and
- (d) the procedures specified in the operator's required documentation; and
- (e) such laws, regulations and procedures that may be relevant in those States in which the operation is to be conducted, including in particular those flight procedures and obstacle clearance criteria that may differ from those established by PANS-OPS; and
- (f) procedures required at any aerodrome planned to be used as a destination or as an alternate, and procedures for air navigation facilities relating to such aerodromes.

## 125.65 Responsibilities of pilot in command

The operator shall ensure that all crew members are made aware that the pilot-in-command is responsible for the following items in addition to those listed in Part 91.203:

- (a) the safety of all persons on board the aircraft when the doors are closed.
- (b) the safety of the aircraft from the moment the aircraft has started its engine(s) for the purpose of taking-off until the moment it finally comes to rest at the end of the flight and the engine(s) used as primary propulsion units are shut down and, if applicable, the rotor blades stopped.
- (c) ensuring that check-lists are complied with in detail; and
- (d) reporting all known or suspected defects in the aircraft to the operator at the termination of the flight; and
- (e) the journey log book and any general declaration; and
- (f) preservation of flight recorder records and if necessary the associated flight recorders if the aircraft has been involved in an accident or incident; and
- (g) notifying the appropriate authority, by the quickest available means, of any accident involving the aircraft (except where the pilot in command is incapacitated when it shall become the responsibility of the operator); and
- (h) the security of the aircraft during its operation; and
- (i) reporting any act of unlawful interference to the Governor and to the designated local authority.

## 125.67 Cabin crew at emergency evacuation stations

- (a) Whenever cabin crew are carried, those cabin crew that have emergency evacuation duties shall occupy a seat provided in accordance with 125.525 during take off and landing and at such other times as the pilot in command may require.
- (b) Each cabin crew member shall be seated with seat belt (or safety harness where provided) fastened during take off and landing and whenever the pilot in command so directs.

## 125.71 Passengers

- (a) An operator shall ensure that passengers are made familiar with the location and use of:
  - (1) seat belts; and
  - (2) available emergency exits; and

- (3) lifejackets if required to be carried; and
  - (4) oxygen dispensing equipment, if required to be carried for the use of passengers; and
  - (5) other emergency equipment provided for individual use, including passenger emergency briefing cards.
- (b) An operator shall ensure that all persons on board the aircraft are made aware of the location and general manner of use of the principal emergency equipment carried for use by passengers.
- (c) An operator shall ensure that during take off and landing and during such other times as may require it, all passengers on board the aircraft are secured in their seats by means of the seat belts or harnesses provided.

### 125.73 Cabin baggage

An operator shall specify procedures to ensure that all baggage carried onto and aircraft and taken into the passenger cabin is adequately and securely stowed.

### 125.75 Fuelling procedures

An operator shall ensure that:

- (a) an aircraft shall not be fuelled or defuelled when passengers are embarking, on board or disembarking unless suitably qualified personnel are on board the aircraft and ready to initiate an immediate evacuation.
- (b) when fuelling or defuelling with passengers embarking, on board or disembarking, two way communication shall be maintained by the aircraft intercommunication system or other suitable means between the ground crew carrying out the fuelling / defuelling and those suitably qualified personnel on board the aircraft.

### 125.77 Fuel and oil requirements

- (a) An operator shall ensure that a flight shall not be commenced unless the aircraft carries sufficient fuel and oil, taking into account weather reports, forecasts and weather conditions, to complete the flight to the aerodrome of intended landing and:
  - (1) when a destination alternate aerodrome is not required:
    - (i) **for propeller-driven aeroplanes** - fly after that for 45 minutes at holding speed at a height of 1,500 feet above the aerodrome; or when the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome, fly for 45 minutes plus 15% of the flight time

planned to be spent at the cruising level(s), or 2 hours whichever is less; or

- (ii) **for turbo-jet powered aeroplanes or helicopters** - fly after that for 30 minutes at holding speed at a height of 1,500 feet above the aerodrome, or when the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome, to fly to the destination aerodrome and then to fly for two hours at normal cruise consumption.

- (2) when an alternate is required:

**for propeller-driven aeroplanes:**

- (i) fly from the aerodrome of intended landing to the critical alternate aerodrome and fly after that for 45 minutes at holding speed at a height of 1,500 feet above the aerodrome; or
- (ii) fly to the alternate aerodrome via any predetermined point, fly after that for 45 minutes (provided that this is not less than that required to fly to the planned destination) and then fly for either 45 minutes plus 15% of the flight time planned to be spent at the cruising level, or fly for two hours, whichever is less.

**for turbo-jet powered aeroplanes or helicopters:**

- (iii) fly from the aerodrome of intended landing to the alternate. At the alternate fly for 30 minutes at holding speed at a height of 1,500 feet above the aerodrome, before making an approach and landing; or
- (iv) fly to the alternate via any predetermined point, then fly for 30 minutes at holding speed at a height of 1,500 feet above the aerodrome before making an approach and landing, provided that the fuel required is not less than the amount required to fly to the planned destination and thereafter for two hours at normal cruise consumption.

## 125.81 Checklists

- (a) An operator shall ensure that flight crews are provided with checklists of normal, abnormal and emergency aircraft procedures.
- (b) The checklists provided to flight crews shall be designed in accordance with human factors principles and shall contain sufficient information to enable flight crews to comply with the requirements of the aircraft flight manual, the Operations Manual and such other documents as may be associated with the Certificate of Airworthiness.
- (c) The operator shall be responsible for ensuring that flight crew operating procedures incorporate the use of checklists for all phases of aircraft operations and in emergency.

- (d) The operator shall be responsible for ensuring that checklists are used by flight crews prior to, during and after all phases of aircraft operation.

### **125.83 Simulating in-flight situations**

An operator shall ensure that on a flight when passengers are being carried:

- (a) no emergency or abnormal situations are simulated; and
- (b) no simulated instrument flight is conducted.

### **125.85 Use of Flight Recorders**

An operator shall ensure that:

- (a) any flight recorders installed on the aircraft are not switched off during flight time; and
- (b) procedures are developed for operational checks and evaluations of flight data recordings in order to ensure continued serviceability of the recorders.
- (c) flight recorders are deactivated on completion of flight time following an accident or incident.

### **125.86 Minimum Flight Altitudes**

An operator shall specify the method for establishing terrain clearance altitudes.

### **125.87 Flight Planning**

- (a) An operator shall specify all flight planning procedures necessary for the safe conduct of the flight, taking account of, but not limited to, the following elements:
  - (1) aeroplane performance, taking account of any unserviceability; and
  - (2) operating limitations; and
  - (3) expected flight conditions on the route planned for the destination and any alternates; and
  - (4) the aerodromes planned to be used for landing or in the event of a diversion, and taking account of:
    - (i) ground facilities and/or water facilities; and
    - (ii) communications facilities; and
    - (iii) navigation aids
  - (5) such ATS requirements as may apply.

- (b) The operator shall plan, perform, and control flights using meteorological information:
  - (1) provided for aviation purposes; or
  - (2) provided from a source that has been assessed by the certificate holder for its reliability and accuracy and considered acceptable for the purpose of the flight.
- (c) The flight planning procedures shall be detailed in the Operations Manual.

## **125.89 Use of aerodromes**

An operator shall ensure that an aircraft is not operated to or from an aerodrome unless the operator's procedures have identified that aerodrome as suitable for the purpose of taking-off or landing in that aircraft.

## **125.91 Aerodrome Operating Minima**

- (a) An operator shall ensure that no pilot in command operates to or from an aerodrome, or plans the use of an aerodrome as a diversion or alternate aerodrome, using operating minima lower than those that may be established for that aerodrome by the State in which it is located, except with the specific approval of that State.
- (b) In determining aerodrome operating minima to be used by flight crew for a particular operation, the operator shall take account of the following:
  - (1) the type, performance and handling characteristics of the aircraft; and
  - (2) the composition of the flight deck crew, their competence and experience; and
  - (3) the dimensions and characteristics of the runways or touch-down areas which may be selected for use; and
  - (4) the adequacy and performance of the available visual and non-visual ground aids; and
  - (5) the equipment available in the aircraft for the purpose of navigation or control of the flight path, as appropriate, during the take-off, approach, flare, landing or missed approach; and
  - (6) the obstacles in the approach and missed approach areas and the climb-out areas and necessary clearance; and
  - (7) the obstacle clearance altitude or height for the instrument approach procedures; and
  - (8) the means to determine and report meteorological conditions; and

- (9) the availability and adequacy of emergency services.

### **125.93 Take off alternate aerodromes**

- (a) An operator shall ensure that a take off alternate aerodrome shall be specified in the flight plan if the weather conditions at the aerodrome of departure are at or below the applicable aerodrome operating minima or if a return to the aerodrome of departure may not be possible for other reasons.
- (b) A take off alternate shall be located within the following distance from the aerodrome of departure:
- (1) for any aeroplane with two power units, a distance equivalent to a flight time of one hour at the single engine cruise speed; and
  - (2) for any aeroplane having three or more power units, a distance equivalent to a flight time of two hours at the one engine inoperative cruise speed.
- (c) For any aerodrome to be specified as a take off alternate, the available information shall indicate that at the estimated time of use the conditions will be at or above the aerodrome operating minima required for that operation.

### **125.95 Destination alternate aerodromes**

- (a) An operator shall ensure that for any aircraft operated under IFR, at least one alternate aerodrome is nominated.
- (b) An aerodrome shall not be nominated as an alternate unless:
- (1) the aerodrome has a notified instrument approach procedure and weather forecasts indicate that at the estimated time of arrival at the alternate aerodrome the cloud ceiling and visibility will be at or above the minima prescribed; or
  - (2) where there is no notified instrument approach procedure available, the duration of the flight and prevailing meteorological conditions make it reasonably certain that the cloud ceiling and visibility at the expected time of use of the alternate would be at or above the VFR minima prescribed in The Rules of the Air as provided in the Order.
- (c) Where a destination is isolated and no suitable alternate is available, an alternate is not required if:
- (1) an instrument approach procedure is available for use at the aerodrome or heliport of intended landing; and

- (2) weather forecasts indicate that for at least 2 hours before and 2 hours after the estimated time of arrival and:

**for aeroplanes**

- (i) the cloud base at the aerodrome will be at least 1,000 feet above the minima prescribed for the instrument procedure likely to be used, and visibility will be at least 5.5 km, or 4 km more than the minimum associated with the procedure; or

**for helicopters**

- (ii) the cloud base at the aerodrome will be at least 400 feet above the minima prescribed for the instrument approach procedure likely to be used, and visibility, where a terminal aerodrome forecast is available, will be at least 1.5 km more than the minimum associated with the procedure. Where a terminal aerodrome forecast is not available, visibility shall be not less than 4 km more than the visibility associated with the procedure; and
- (iii) a point of no return (PNR) is determined; and
- (iv) additional fuel reserves are carried to take account of any likely delays or the increased consumption that may result from system or powerplant failures.

## 125.101 Operating in icing conditions

An operator shall ensure that procedures are in place to prevent:

- (a) a take-off of an aircraft that has snow, ice, or frost adhering to the wings, rotors, stabilisers, or control surfaces; and
- (b) a take-off in an aircraft that has snow, ice, or frost adhering to any propeller, windscreen, or powerplant installation, or to an airspeed, altimeter, rate of climb, or flight attitude instrument system, unless in accordance with 125.101(d); and
- (c) an aircraft into known or forecast icing conditions unless the aircraft is certificated and equipped for flight in the type of known icing conditions; and
- (d) take-off in an aircraft that has frost adhering to a propeller, windscreen, or powerplant installation unless such action is specifically permitted by the aircraft flight manual and the take-off is performed in accordance with the aircraft flight manual procedures.

## 125.111 In-flight procedures

- (a) An operator shall ensure that no crew member performs any duties during critical phases of flight except those duties required for the safe operation of the aircraft.

- (b) The critical phases of flight referred to in paragraph 125.111(a) include:
  - (1) for flight crew members, all operations involving push back, taxi, take-off, approach and landing; and
  - (2) for other crew members, all ground operations after leaving the apron area to join a main taxiway, take-off until passing 1,000 feet on climb, and all flight below 5,000 feet on the landing approach phase of the flight.

### **125.115 Instrument Approach Procedures**

An operator shall ensure that:

- (a) crew procedures for carrying out instrument approaches are specified as standard operating procedures and included within the operations manual; and
- (b) no pilot carrying out an instrument approach descends below a point 1,000ft above the aerodrome unless the reported visibility or controlling RVR is equal to or above the specified minimum, except that
- (c) if after descending below a point 1,000ft above the aerodrome the reported visibility or controlling RVR falls below the specified minima the approach may be continued to DA/H or MDA/H.

### **125.123 Reduced take-off minima**

- (a) Each operator shall ensure that no aircraft operates at lower take-off minima than:
  - (1) 150 m RVR for Category A, B or C aeroplanes; or
  - (2) 200 m RVR for Category D aeroplanesunless the operator's procedures for low visibility take-off have been approved by the Governor.
- (b) Operations using reduced take-off minima shall only be carried out where:
  - (1) each flight crew member is qualified for reduced minima take-offs in accordance with paragraph 125.123(a); and
  - (2) low visibility procedures are in force at the aerodrome; and
  - (3) reduced take-off minima are permitted on the runway to be used; and
  - (4) RVR values are available if the visibility is reported to be less than 800 metres and the required RVR values have been achieved for all relevant RVR reporting points; and

- (5) minimum runway lighting requirements can be met; and
- (6) an adequate visual segment is visible to the pilot-in-command at the start of the take off run; and
- (7) any aeroplane equipment specified for low visibility take-offs is serviceable at the commencement of the take off; and
- (8) if the aeroplane is a two-engine propeller-driven aeroplane, the aeroplane is equipped with an operative auto-feather, auto-coarse or equivalent drag reducing system; and
- (9) a take-off alternate aerodrome has been nominated.

### **125.125 Low visibility approaches**

Each operator shall ensure that no Category II or Category III operations are conducted unless:

- (a) Category II/III operations have been approved by the Governor; and
- (b) operations are conducted in accordance with the operator's Category II/III approach procedures manual; and
- (c) the aeroplane is certificated for operations with decision heights below 200 ft, or with no decision height; and
- (d) the aeroplane is equipped in accordance with the operator's Category II/III approach procedures manual; and
- (e) the operator's maintenance programme specifies procedures for maintenance of aeroplane guidance systems in accordance with OTAR Part 39; and
- (f) the runway visibility is established using RVR; and
- (g) a record is kept of each Category II/III approach made with details of:
  - (1) the meteorological conditions at the time of the approach, and
  - (2) whether the approach was satisfactory or unsatisfactory, and
  - (3) the reason for any unsatisfactory approach or landing, if any.

### **125.127 Operations in Required Navigation Performance designated airspace**

An operator shall ensure that no aircraft is operated in RNP designated airspace unless:

- (a) RNP operations procedures have been approved by the Governor for that aircraft and aircraft navigation system; and

- (b) procedures for RNP operations are specified in the Operations Manual; and
- (c) the instruments and equipment required for that RNP operation have been inspected and maintained in accordance with a maintenance programme approved under OTAR Part 39; and
- (d) flight crew comply with all notified procedures, instructions and limitations relating to the designated RNP airspace.

### **125.129 Minimum Navigation Performance Specification (MNPS) operations**

An operator shall ensure that no aircraft is operated in airspace where minimum navigation performance specifications have been prescribed unless:

- (a) MNPS operations procedures have been approved by the Governor for that aircraft and aircraft navigation system; and
- (b) procedures for MNPS operations are specified in the Operations Manual; and
- (c) the navigation equipment required for that MNPS operation has been inspected and maintained in accordance with an approved maintenance programme; and
- (d) flight crew comply with all notified procedures, instructions and limitations relating to the designated MNPS airspace.

### **125.131 Reduced vertical separation minima (RVSM)**

An operator shall ensure that no aircraft is operated in airspace where reduced vertical separation minima apply unless:

- (a) RVSM operations procedures have been approved by the Governor for that aircraft and aircraft navigation system; and
- (b) procedures for RVSM operations are specified in the Operations Manual; and
- (c) the navigation equipment required for that RVSM operation has been inspected and maintained in accordance with a maintenance programme approved under OTAR Part 39; and
- (d) flight crew comply with all notified procedures, instructions and limitations relating to the designated RVSM airspace.

### **125.133 Electronic navigation data management**

An operator of an aircraft shall not utilise electronic navigation data products unless:

- (a) the operator has procedures for ensuring that:
  - (1) the product standard and quality is acceptable; and
  - (2) the products delivered have met acceptable standards of integrity; and
  - (3) the products are compatible with the intended function of the equipment that will use them; and
  - (4) there is timely distribution and insertion of current and unaltered electronic navigation data to all aeroplanes that require it.
- (b) the operator's procedures in respect of 125.133(a) have been approved by the Governor.

### **125.141 Use of Oxygen**

An operator shall ensure that:

- (a) all crew members engaged in performing duties essential to the safe operation of the flight shall use breathing oxygen continuously whenever those circumstances prevail for which oxygen has been required to be carried in 125.527 or 125.529.
- (b) each crew member requiring to use oxygen in accordance with 125.141(a) shall use portable oxygen equipment, including a regulator and attached oxygen mask, for any duty requiring movement from their usual station
- (c) for any pressurised aircraft there are operational procedures in place to ensure there is reasonable probability of passengers surviving the effects of hypoxia in the event of loss of pressurization.
- (d) no unpressurised aircraft is operated above 25,000ft.

### **125.143 Cosmic Radiation**

- (a) An operator shall ensure that:
  - (1) an assessment is made of the exposure to cosmic radiation of those crewmembers who are liable to an exposure in excess of 1 milliSievert per year; and
  - (2) the exposure to cosmic radiation is taken account of when planning flight schedules; and

- (3) shall ensure that crewmembers are informed of the health risks their work involves; and
  - (4) any exposure to cosmic radiation of a pregnant crewmember shall be as low as reasonably can be achieved and that exposure should be unlikely to exceed 1 milliSievert during the remainder of her pregnancy.
- (b) An operator shall ensure that for any flight operated above 49,000ft:
- (1) procedures for operating above 49,000ft and for the use of monitoring equipment shall be specified in the Operations Manual; and
  - (2) an aircraft descent to a level of 49,000 feet or lower is initiated as soon as practicable if the limit values of cosmic radiation dose rate specified in the Operations Manual are exceeded.

## **Subpart E Performance**

### **125.201 General**

Each operator shall ensure that each aircraft is operated in accordance with a comprehensive and detailed code of performance.

### **125.203 Performance data**

Each operator shall ensure that for each aircraft it operates the performance data used is:

- (a) contained in the aircraft flight manual; or
- (b) where provided by the aircraft manufacturer or other source, contained in an equivalent document; and
- (c) available to all flight crew or other persons responsible for flight planning or aircraft dispatch.

### **125.211 Performance**

- (a) An operator shall ensure that no flight is commenced unless account has been taken of all factors that significantly affect the performance of the aircraft, including but not limited to:
  - (1) Weight; and
  - (2) Operating procedures; and
  - (3) Pressure altitude of aerodrome; and
  - (4) Temperature; and
  - (4) Wind; and
  - (5) Runway gradient; and
  - (6) Condition of runway; and
  - (7) Water surface state (where relevant); and
  - (8) Aircraft configuration
- (b) An operator shall take account of the accuracy of charts and other data used during performance planning, when assessing whether a flight can be safely operated.

### **125.213 Wet and contaminated runway surfaces**

Each operator shall ensure that where it is necessary for a take-off to be made on a runway contaminated with water, slush, snow or ice the pilot-in-command shall take account of:

- (a) the runway overrun area; and
- (b) local wind conditions, including any element of tailwind or crosswind; and
- (c) height of any snow banks adjacent to the runway.

### **125.253 Take off weight**

An operator shall ensure that:

- (a) the weight of the aeroplane at the start of any take off shall not exceed:
  - (1) the weight at which 125.255 can be complied with; and
  - (2) the weight at which 125.257 and 125.259 can be complied with, allowing for expected reductions in weight as the flight proceeds, for any fuel jettisoning that may be envisaged, and the use of alternate aerodromes; and
- (b) in no case shall the weight at the start of take off exceed the maximum take off weight specified in the flight manual for that pressure altitude appropriate to the aerodrome elevation and, if used as a parameter to determine the maximum take off weight any other local atmospheric condition; and
- (c) in no case shall the estimated weight for the expected time of landing at the planned destination aerodrome and at any destination alternate aerodrome, exceed the maximum landing weight specified in the flight manual for the pressure altitude appropriate to the aerodrome elevation(s), and if used as a parameter to determine the maximum landing weight, any other local atmospheric condition; and
- (d) in no case shall the weight at the start of take off, or at the expected time of landing at the planned destination aerodrome and any destination alternate aerodrome, exceed the relevant maximum weights at which compliance has been demonstrated with the applicable noise certification standards, unless otherwise authorised in exceptional circumstances for a certain aerodrome or at a runway where there is no noise disturbance problem by the relevant authority of the State in which the runway is located.

### **125.255 Aeroplane climb performance**

- (a) An operator shall ensure that pilots are provided with operating instructions and with information on aeroplane climb performance sufficient to enable the pilot in command to determine the climb gradient

that can be achieved during the departure phase for the existing take off conditions and using the intended take off technique.

- (b) The information required by 125.255(a) shall be made available within the Operations Manual.

### **125.257 En route weight**

An operator shall ensure that any aeroplane of MTWA greater than 5,700kg shall be able, in the event of the critical engine becoming inoperative at any point along the route or any planned diversion route, to continue the flight to an aerodrome at which the requirements of 125.259 can be met, without flying below the minimum obstacle clearance altitude at any point.

### **125.259 Landing weight**

An operator shall ensure that:

- (a) an aeroplane shall at the planned destination aerodrome and at any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, be able to land, with assurance that the aeroplane will be able to come to a stop (or for a seaplane to a satisfactorily low speed) within the landing distance available.
- (b) when calculating whether an aeroplane will be able to comply with 125.259(a), allowance shall be made for expected variations in the approach and landing techniques used.

## **Subpart F — Instrument and Equipment Requirements**

### **125.501 General requirements**

An operator shall ensure that an aircraft does not commence a flight unless:

- (a) the aircraft is equipped with the type and number of instruments and equipment required by this Subpart; and
- (b) the instruments and equipment installed in the aircraft comply with approved specifications and airworthiness certification standards; and
- (c) any necessary maintenance has been carried out in accordance with OTAR Part 125 Subpart G; and
- (d) the instruments and equipment installed in the aircraft are in operable condition, except as may be provided by an approved MEL for that aircraft in accordance with paragraph 125.503.

### **125.503 Minimum Equipment List**

- (a) An operator shall ensure that where a Minimum Equipment List (MEL) is to be used, that MEL is included in the Operations Manual.
- (b) The MEL shall be approved by the Governor for use with that aircraft and may include such operating conditions and limitations on the MEL as he considers necessary in the interest of safety.
- (c) The MEL shall contain:
  - (1) the type and model of the aircraft to which it applies; and
  - (2) a list of equipment for the aircraft that may be partially or fully inoperative that:
    - (i) has been approved by the ICAO Contracting State that issued the type certificate for the aircraft; and
    - (ii) is acceptable to the Governor.
- (d) An MEL shall not contain any instruments or equipment that are:
  - (1) either specifically or otherwise required by the airworthiness requirements under which the aircraft is certificated; or
  - (2) required by this Subpart for specific operations; or
  - (3) required by an airworthiness directive to be in operable condition.

## 125.505 Inoperative instruments and equipment

- (a) Except as provided in paragraph 125.503, an operator shall ensure that no aircraft is operated with inoperative instruments or equipment, that is legally required to carry that instrument or equipment, unless the following conditions are met:
  - (1) a Minimum Equipment List (MEL) is available and has been approved by the Governor for that aircraft in accordance with paragraph 125.503; and
  - (2) the aircraft records available to the pilot include an entry describing the inoperative instruments and equipment; and
  - (3) the aircraft is operated in accordance with all applicable conditions and limitations contained in the MEL.
- (b) Aircraft that are not required to hold an MEL may be operated under this Part with inoperative instruments and equipment provided the inoperative instruments and equipment:
  - (1) are not:
    - (i) part of the certification instruments and equipment prescribed in the applicable airworthiness requirements under which the aircraft was type certificated; or
    - (ii) required by this Subpart for specific operations; or
    - (iii) required by an airworthiness directive to be in operable condition; and
  - (2) are placarded "Inoperative" and the required maintenance recorded in accordance with OTAR Part 43.

## 121.507 Markings and placards

Each operator shall ensure that:

- (a) any placards, listings or instrument markings containing prescribed operating limitations shall be displayed in the aircraft. Each marking and placard shall be displayed in a conspicuous place and in such a manner to minimise the risk of erasure, disfigurement, obscuring, or removal; and
- (b) each unit of measure used on a marking or placard shall be the same as that on any related instrument or in the related flight manual; and
- (c) each fuel contents gauge shall be clearly marked to indicate the units to which the gauge is calibrated; and
- (d) each aircraft shall be placarded in the immediate vicinity of each fuel and oil filler with the specification and/or grade of fuel or oil, as appropriate.

## 125.509 Location of instruments and equipment

Each operator shall ensure that:

- (a) any instruments and equipment to be operated or used by one pilot can be readily seen and operated from that pilot's normally seated position with the minimum practicable deviation from normal line of sight along the flight path; and
- (b) any single instrument or item of equipment to be operated or used by two pilots, is installed so that it can be readily seen and operated from each pilot's normally-seated position.

## 125.511 Instruments and equipment

An operator shall ensure that:

- (a) the aircraft is equipped with suitable de-icing and/or anti-icing devices.
- (b) the aircraft is equipped with:
  - (1) such lights as may be required by the Rules of the Air; and
  - (2) lighting sufficient for flight crew to carry out their duties in accordance with the aircraft flight manual and this Part, including lighting for all required instruments or indicators, supplied from the aircraft main supply source; and
  - (3) spare bulbs for flight compartment instrument illumination; and
  - (4) lights in all passenger compartments; and
  - (5) two independent means of indicating aircraft attitude, except that one of these may be replaced by the turn and slip indicator in aeroplanes; or in helicopters by a turn indicator; and
  - (6) two independent means of indicating altitude, at least one of which should be a sensitive pressure altimeter; and
  - (7) a means of indicating airspeed in knots, with a means of preventing malfunctioning due to either condensation or icing; and
  - (8) a means of indicating Mach number, if the speed limitation prescribed by the aircraft flight manual is expressed in terms of Mach number; and
  - (9) for an aeroplane a turn and slip indicator and for a helicopter a slip indicator; and
  - (10) a magnetic heading indicator (standby compass)
  - (11) a means of indicating stabilised aircraft heading; and

- (12) a means of indicating the power supply to any gyroscopic instruments is adequate; and
  - (13) rate of climb and descent indicator; and
  - (14) an outside air temperature indicator; and
  - (15) for an aeroplane a landing light, and for a helicopter a landing light which shall be trainable in the vertical plane; and
  - (16) an accurate timepiece indicating in hours, minutes and seconds; and
  - (17) an electric torch for every crew member
- (c) the aircraft is equipped with spare fuses of appropriate ratings, where necessary, for all electrical circuits that can be changed in flight.

### **125.513 Communication equipment**

An operator shall ensure that:

- (a) each aircraft is fitted with radio communication equipment capable of providing continuous two-way communications with an appropriate ATS unit or aeronautical telecommunications facility; and
- (b) the radio communication equipment provides for communication on the emergency frequency 121.5 MHz; and
- (c) each aircraft is fitted with radio equipment capable of receiving signals to provide guidance to a point from which a visual landing can be made at any aerodrome used and for any designated alternate; and
- (d) all required radio navigation equipment complies with the FM-Immunity requirements of ICAO Annex 10 Volumes I and III; and
- (e) any radio navigation equipment fitted or used on the aircraft that does not comply with the FM immunity requirements of Annex 10 is placarded to alert crews to the potential risk of radio interference; and
- (f) all flight crew members required to be on flight deck duty shall communicate through boom or throat microphones below the transition level/altitude; and
- (gf) communication equipment is installed such that failure of a single unit will not result in the failure of another unit required for communication or navigation purposes.

## 125.515 Navigation equipment

An operator shall ensure that:

- (a) Each aircraft is equipped with a navigation system which will enable the aircraft to proceed in accordance with:
  - (1) the flight plan; and
  - (2) in accordance with the requirements of ATC; and
  - (3) the designated RNP airspace where applicable; and
- (b) Each aircraft using GPS as an additional means for navigation is equipped with GPS equipment that is approved by the Governor; and
- (c) Each aircraft operating in airspace where minimum navigation performance specifications (MNPS) are prescribed is equipped with navigation equipment capable of continuously and accurately indicating to the flight crew adherence to or departure from track; and
- (d) Each aircraft operating in RVSM airspace is provided with equipment capable of:
  - (1) indicating to the flight crew the flight level being flown; and
  - (2) automatically maintaining a selected flight level to within  $\pm 65$  feet; and
  - (3) providing an aural and visual alert to the flight crew when a deviation from the selected flight level occurs. The threshold for the alert shall not exceed 300 feet (90 metres); and
  - (4) automatically reporting pressure altitude; and
- (h) The equipment required in paragraph 125.515(d) shall consist of at least two air data computer altitude measurement systems; and
- (i) Each aircraft operating in RNP or MNPS airspace shall have the equipment required by paragraphs 125.513(a) and(b), 125.515(a) and (e) and 125.515(c) installed in such number as to ensure, in the event of the failure of any independent system for either communication or navigation purposes, the remaining equipment will enable the aircraft to continue the flight in compliance with the instrument flight rules and the requirements of the RNP or MNPS designated airspace that the aircraft is being operated within; and
- (j) navigation equipment shall be installed such that failure of a single unit will not result in the failure of another unit required for communication or navigation purposes; and
- (k) Each aircraft shall be sufficiently provided with navigation equipment to ensure that, in the event of the failure of one item of equipment at any stage of the flight, the remaining equipment will enable the aircraft to navigate in accordance with the applicable requirements; and

- (l) Each aircraft required for Category II or III precision approach procedures shall be equipped in accordance with an approval granted by the Governor.

### **125.517 Transponder**

Aeroplanes shall be equipped with a pressure altitude reporting transponder which operates in accordance with the relevant provisions of ICAO Annex 10.

### **125.519 Emergency power supply**

- (a) Aeroplanes of MTWA of over 5,700 kg and helicopters of MTWA of over 3180 kg shall be fitted with an emergency power supply, independent of the main electrical generating system.
- (b) The emergency power supply required by 125.519(a) must:
  - (1) be capable of operating and illuminating an attitude indicating instrument (clearly visible to the pilot-in-command) for a minimum period of 30 mins; and
  - (2) operate automatically after the total failure of the main electrical generating system; and
- (c) There must be clear indication on the instrument panel that the attitude indicator(s) is being operated by emergency power.

### **125.520 Glass cockpit systems**

Aircraft with advanced cockpit automation systems (glass cockpits) shall have system redundancy that provides flight crew with attitude, heading, airspeed and altitude indications in case of failure of the primary system or display.

### **125.521 Passenger safety instructions**

An operator shall ensure that each aircraft is equipped with the means of conveying the following information / instructions to passengers:

- (a) when seat belts are to be fastened; and
- (b) when and how any oxygen equipment that is required to be carried is to be used; and
- (c) restrictions on smoking; and
- (d) location and use of any lifejackets / lifecots carried on the aircraft; and
- (e) location of emergency equipment; and
- (f) location and method of opening emergency equipment.

## 125.525 Seating and seating restraints

- (a) An operator shall ensure that each aircraft is equipped with:
  - (1) a seat or berth for each person on board; and
  - (2) a safety belt for each seat and restraining belts for each berth; and
  - (3) for each flight crewmember a safety harness for each flight crew seat; and
  - (4) for each other crew member: either a shoulder harness; or, if the aircraft type certificate allows, a seat belt with a diagonal shoulder strap.
- (b) Each flight crew safety harness shall be equipped with a device to restrain the pilot's torso in the event of sudden deceleration or pilot incapacitation.
- (c) Notwithstanding paragraph 125.525(a)(1) and (2), a seat, berth, safety belt or restraining belt is not required for:
  - (1) a child of less than 2 years of age if the child is held by an adult who is occupying a seat or berth, provided the child is secured by a safety belt attached to the adult's safety belt; or
  - (2) a child of less than 2 years of age who occupies a seat equipped with an approved child restraint system, if the child does not exceed the specified weight limit for that system and is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight.
- (d) aeroplanes carrying cabin crew, and where the individual certificate of airworthiness was first issued on or after 1 January 1981, shall be equipped with a forward or rearward facing seat and fitted with a safety harness for the use of each cabin crew member.
- (e) Cabin crew seats provided in accordance with 125.525(d) shall be located near floor level and other emergency exits.

## 125.527 Oxygen equipment and supplies for non-pressurised aircraft

Each aircraft with a non-pressurised cabin that is operated at altitudes above 10,000 feet pressure altitude shall be equipped with oxygen storage and dispensing equipment to supply the following:

- (a) stored breathing oxygen for continuous use by all crew members; and
- (b) stored breathing oxygen for continuous use by passengers during any time the aircraft is being operated between 10,000 ft pressure altitude and 13,000 ft pressure altitude for a period of more than 30 minutes, or above 13,000 ft pressure altitude; and

- (c) portable protective breathing equipment for each crew member, that is readily accessible for immediate use containing the greater of 120 litres of oxygen or the quantity of oxygen required for continuous use for that time the cabin pressure altitude would exceed 10,000 feet.

## **125.529 Oxygen equipment and supplies for pressurised aircraft**

- (a) An aircraft with a pressurised cabin that is to be operated at altitudes above 10,000 feet pressure altitude shall be equipped with:
  - (1) a quick donning on-demand oxygen mask accessible to each flight crew member and capable of providing a continuous supply of stored breathing oxygen for that time following failure of the pressurisation system that the cabin pressure altitude would exceed 10,000 feet pressure altitude; and
  - (2) one set of portable protective breathing equipment capable of providing oxygen for at least 15 minutes that is readily accessible to any flight crew member; and
  - (3) the following equipment that is readily accessible to each crew member, other than flight crew, at their normally-seated position:
    - (i) a crew member on demand oxygen mask; or
    - (ii) a passenger oxygen mask and portable breathing equipment for immediate use containing the greater of 120 litres of oxygen or the quantity of oxygen required for continuous use for that time the cabin pressure altitude would exceed 10,000 feet; and
- (b) Notwithstanding paragraph 125.529(a)(2) crew member portable protective breathing equipment is not required when:
  - (1) alternative protective breathing equipment is provided that can supply oxygen for 15 minutes; and
  - (2) the aircraft is flown by only one pilot; and
  - (3) no other crew member is carried; and
  - (4) any other persons carried are seated within view of the pilot in a single compartment.
- (c) For the purposes of paragraphs 125.529(a)(1), the calculation of the oxygen requirements in the event of pressurisation failure is to take into account:
  - (1) the time necessary for an emergency descent and the recovery phase to level flight at a safe altitude; and
  - (2) any subsequent stage of the flight prior to landing when it may be necessary for the aircraft to be flown at a pressure altitude above 10,000 feet.

- (d) aircraft operated above 25,000 ft shall carry a minimum of 10 minutes oxygen supply for all passengers carried.
- (e) aircraft operated between 10,000ft and 25,000ft that cannot descend safely within four minutes to an altitude equal or lower than 13,000ft shall carry a minimum of 10 minutes oxygen supply for all passengers carried.

### **125.531 Oxygen indicators**

Each aircraft operated at altitudes above 10,000 feet pressure altitude, shall be equipped with a means of indicating:

- (a) to the flight crew:
  - (1) the amount of breathing oxygen available in each source of supply and whether the oxygen is being delivered to the dispensing units; and
  - (2) of a pressurised aircraft, by visual or aural warning, when the cabin pressure altitude exceeds 10,000 feet; and
- (b) to each user of an individual breathing oxygen dispensing unit, the amount of oxygen available and whether the oxygen is being delivered to the dispensing unit.

### **125.532 Protective equipment**

An operator shall ensure that each aircraft over 5,700kg is equipped with:

- (a) protective equipment to protect the eyes, nose and mouth of all flight crew for a period of 15 minutes; and
- (b) where cabin crew are not carried, portable protective equipment to protect the eyes, nose and mouth of at least one member of flight crew for a period of 15 minutes; and
- (c) where cabin crew are carried, protective equipment to protect the eyes, nose and mouth of all cabin crew for a period of 15 minutes; and
- (d) protective equipment that:
  - (1) is conveniently located and easily accessible to each:
    - (i) flight crew member at their normally seated position; and
    - (ii) crew member for immediate use; and
  - (2) installed:
    - (i) on the flight deck; and
    - (ii) in each passenger compartment within 1 m, or other such approved distance of each required hand held fire extinguisher; and
    - (iii) in any galleys that contain hand held fire extinguishers.

- (e) protective equipment that will:
  - (1) provide a breathing gas system that is free from hazards in:
    - (i) itself; and
    - (ii) its method of operation; and
    - (iii) its effect upon other components; and
  - (2) provide protection for the eyes without unduly restricting vision; and
  - (3) allow any crew member to:
    - (i) determine during flight the quantity of breathing gas available in each source of supply, unless the gas system uses chemical oxygen generators; and
    - (ii) use corrective glasses without undue impairment of vision, or loss of protection; and
    - (iii) communicate using the crew member intercom system; and
  - (4) allow the flight crew members to communicate using the aircraft radios.

### **125.535 Flight Recorders**

- (a) Each operator shall ensure that:
  - (1) any flight data recorder or cockpit voice recorder required to be carried in accordance with 125.537 or 125.539 shall be constructed, located and installed so as to provide maximum practical protection for the recordings in order that the recorded information may be preserved, recovered and transcribed; and
  - (2) any flight data recorder or cockpit voice recorder is fitted with an underwater locating device.
- (b) Operational checks and evaluations of recordings from flight recorders shall be conducted to ensure the continued serviceability of the recorder.

### **125.537 Flight data recorder (FDR)**

- (a) Any aeroplane of MTWA:
  - (1) over 27,000 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 1989, shall be equipped with a Type I flight data recorder.
  - (2) over 5,700 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 2005, shall be equipped with a Type IA flight data recorder.

- (b) Any helicopter of MTWA:
  - (1) over 7,000 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 1989, shall be equipped with a Type IV flight data recorder.
  - (2) over 3,180 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 2005, shall be equipped with a Type IVA flight data recorder, with a recording duration of at least 10 hours.
- (c) Flight data recorders shall comply with the Standards and Recommended Practices given in ICAO Annex 6 Part II, and Part III Section III, as applicable.

### **125.539 Cockpit voice recorder (CVR)**

- (a) Any aeroplane of MTWA over 27,000 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 1987, shall be equipped with a cockpit voice recorder.
- (b) Any helicopter of MTWA over 7,000 kg, and for which the individual certificate of airworthiness was first issued on or after 1 January 1987, shall be equipped with a cockpit voice recorder. Where no FDR is carried, the CVR shall be capable of recording at least main rotor speed on one track.
- (c) The cockpit voice recorder shall comply with the Standards and Recommended Practices given in ICAO Annex 6 Part II, and Part III Section III, as applicable.
- (d) The cockpit voice recorder shall be capable of retaining information recorded during:
  - (1) the last thirty minutes of operation, except that
  - (2) for aircraft that have an individual certificate of airworthiness first issued after 1 January 2003 the CVR shall retain the last two hours of operation, when the aircraft is either:
    - (i) an aeroplane with MTWA more than 5,700 kg; or
    - (ii) a helicopter.

### **125.541 Data link communications**

- (a) All aeroplanes which utilise data link communications and which are required to carry a cockpit voice recorder shall record on a flight data recorder all data link communications to and from the aeroplane.
- (b) The minimum recording duration shall be equal to the duration of the CVR and shall be correlated to the cockpit audio.

- (c) Sufficient information to derive the content of the data link communication message and, whenever practical, the time the message was displayed to or generated by the crew shall be recorded.

### **125.547 Emergency locator transmitter**

- (a) All aircraft shall carry at least one automatic ELT, or two ELTs of any type.
- (b) Any ELT required to be carried shall operate in accordance with the requirements of ICAO Annex 10, Volume III; and
- (c) All ELTs capable of transmitting on 406 MHz must be coded in accordance with ICAO Annex 10 and registered with the agency responsible for the maintenance of the aircraft register.

### **125.551 Flights over water**

An operator shall ensure that:

- (a) any single engine aeroplane, flying a route over water beyond gliding distance from land or when taking off or landing at an aerodrome where, in the event of mishap, there would be the possibility of ditching, shall carry a lifejacket for every person onboard; and
- (b) for any aircraft operated on an extended flight over water a lifejacket is carried for every person on board; and
- (c) for any aircraft operating over water the risks to survival of the occupants of the aircraft in the event of a ditching has been the subject of a risk assessment. The risk assessment shall include taking account of the following:
  - (1) operating environment; and
  - (2) conditions such as sea state, sea and air temperature; and
  - (3) the distance from land suitable for making an emergency landing; and
  - (4) the availability of search and rescue assistance; and
- (d) that a record of the risk assessment carried out in accordance with 125.551(c) is maintained and updated for any change in the type of operations being carried out; and
- (e) that each aircraft is appropriately equipped in accordance with the risk assessment required by 125.551(c); and
- (f) that **helicopters operating in performance Class 1 or 2** flying over water at a distance from land corresponding to more than 10 minutes at normal cruise speed, are certificated for ditching or, for coastal transit operations only, fitted with a permanent or rapidly deployable means of flotation so as to ensure a safe ditching of the helicopter.

- (g) that **helicopters operating in performance Class 3** flying beyond auto-rotational or safe forced landing distance from land, are fitted with a permanent or rapidly deployable means of flotation so as to ensure a safe ditching of the helicopter;
- (h) Where life rafts are carried:
  - (1) life rafts are sufficient to carry all persons on board; and
  - (2) stowed to facilitate their ready use in an emergency; and
  - (3) provided with such lifesaving equipment (including means of sustaining life) such as may be appropriate to the flight being undertaken; and
  - (4) appropriately equipped with an ELT; and
  - (5) provided with equipment for making distress signals in accordance with ICAO Annex 2; and
- (i) Where a lifejacket is required to be carried:
  - (1) the lifejacket is stowed in a position easily accessible from the seat or berth of the person for whose use it is provided; and
  - (2) each lifejacket is equipped with a means of electric illumination to aid location.

### **125.553 Emergency and survival equipment**

- (a) All aircraft shall be equipped with:
  - (1) at least one fire extinguisher, located in reach of a flight crew member and of a type that will not interfere with the proper functioning of essential aircraft equipment; and
  - (2) at least one fire extinguisher in each compartment that is separate from the pilots compartment.
- (b) medical supplies appropriate to the number of passengers the aircraft is certified to carry, and including at least one first aid kit.
- (c) Each aircraft operating over substantially uninhabited areas, where in the event of an emergency landing extreme environmental conditions are likely to be encountered, shall be provided with appropriate survival equipment, including signalling devices.

### **125.557 Ground Proximity Warning System**

- (a) All aeroplanes of MTWA greater than 5,700 kg or authorised to carry more than 9 passengers shall be equipped with a ground proximity warning system which has a forward looking terrain avoidance function.

- (b) Any ground proximity warning system required to be carried in accordance with 125.577(a) shall provide an automatic and distinctive warning to the flight crew when the aeroplane is in potentially hazardous proximity to the earth's surface.
- (c) Any ground proximity warning system required to be carried shall provide warnings of at least the following:
  - (1) excessive descent rate; and
  - (2) excessive altitude loss after take off or go around; and
  - (3) unsafe terrain clearance.

**Note:** Terrain Awareness and Warning System (TAWS) Class B will provide the parameters required in (c) above.

### **125.559 Weather radar**

Pressurised aeroplanes carrying passengers shall be equipped with operative weather detecting equipment capable of detecting thunderstorms whenever the aeroplane is being operated in areas where such conditions may be expected to exist along the route in instrument meteorological conditions or at night.

### **125.561 Airborne Collision Avoidance Systems (ACAS II)**

All turbine engined aeroplanes of MTWA greater than 15 000kg or authorised to carry more than 30 passengers, and with an individual certificate of airworthiness first issued after 1 January 2007 shall be equipped with an airborne collision avoidance system (ACAS II).

### **125.563 Cosmic radiation**

An operator shall ensure that any aeroplanes intended to be operated above 49,000 ft shall carry equipment to measure and indicate continuously the dose rate of total cosmic radiation being received and the cumulative dose on each flight. The display unit of the equipment shall be readily visible to a flight crew member.

## **Subpart G — Continued airworthiness responsibilities**

### **125.601 General requirements**

The operator shall have maintenance arrangements in compliance with Article 10 of the Order and approved by the Governor, which will establish processes, procedures, and contractual arrangements to address:

- (a) maintenance management; and
- (b) maintenance requirements; and
- (c) maintenance control manual; and
- (d) maintenance programme, approval and amendments; and
- (e) condition monitored and reliability programmes, if applicable; and
- (f) airworthiness directives; and
- (g) weight and balance; and
- (h) operation of aircraft following maintenance; and
- (i) maintenance records, retention and transfer; and
- (j) technical log.

## **Subpart H Crew Requirements**

### **125.700 Minimum Crew**

An operator shall ensure that no aircraft is operated unless it carries at least the number of crew members required by the aircraft flight manual or otherwise specified by the Type Certificate design specification

### **125.701 Proficiency in the English Language**

- (a) An operator shall ensure that flight crew members demonstrate the ability to speak and understand the English Language to the proficiency level required by ICAO Annex 1.
- (b) An operator shall ensure that all crew members have the ability to speak and understand the English Language to the extent necessary for effective communication to occur between flight crew and other crewmembers.

### **125.703 Flight Crew qualifications**

An operator shall:

- (a) ensure that each flight crew member assigned to duty holds an appropriate licence issued or validated in accordance with OTAR Parts 61 or 63; and
- (b) ensure that flight crew members are properly rated in respect of their assigned duty; and
- (c) ensure that flight crew members are competent to carry out their assigned duties.

### **125.705 Flight Crew**

An operator shall:

- (a) designate a pilot to act as pilot in command for each flight; and
- (b) ensure that whenever an aircraft includes a separate flight engineer's station the assigned flight crew includes at least one flight engineer especially assigned to that station, unless the duties associated with that station can adequately be performed by another flight crew member holding a flight engineer licence without interference with regular duties; and
- (c) assign to each member of flight crew the functions to be carried out in the event of an aircraft emergency and of an emergency evacuation becoming necessary.

### **125.707 Flight Crew recency**

- (a) An operator shall not assign a pilot to act as pilot in command of an aircraft unless that pilot has made at least three take offs and landings in the preceding 90 days on the same type of aircraft or on a simulator approved for the purpose, using the seating position designated for the use of the pilot in command.
- (b) An operator shall not assign a pilot to operate at the controls of an aircraft unless that pilot has made at least three take offs and landings in the preceding 90 days on the same type of aircraft or on a simulator approved for the purpose.

### **125.709 Cabin Crew**

- (a) The operator shall determine the number of cabin crew required for each aircraft operation. The determination of the number of cabin crew required shall take account of:
  - (1) seating capacity of the aircraft; and
  - (2) number of passengers carried; and
  - (3) the necessary functions to be performed in an emergency or a situation requiring emergency evacuation; and
  - (4) the need to effect a safe and expeditious evacuation of the aircraft.
- (b) The operator shall assign to cabin crew the functions to be carried out in the event of an aircraft emergency and of an emergency evacuation becoming necessary.

### **125.711 Task Specialists**

The operator shall assign to any task specialist the functions to be carried out in the event of an aircraft emergency and of an emergency evacuation becoming necessary.

### **125.715 Psychoactive substances**

An operator shall ensure that:

- (a) no crew member is permitted to perform duties on an aircraft while under the influence of any psychoactive substance, including prescribed or proprietary medication, which might render them unable to exercise those duties safely and properly or create a risk of harm to any other person; and
- (b) no flight is commenced if any flight crew member will be prevented from performing his duties as a result of incapacitation by any cause such as injury, sickness, fatigue, or the effects of alcohol or drugs; and

- (c) a flight will not be continued beyond the nearest suitable aerodrome or heliport when flight crew members' capacity to perform functions is significantly reduced by impairment of faculties from causes such as fatigue, sickness, or lack of oxygen.

## **Subpart I Training**

### **125.751 Training programme**

- (a) An operator shall establish and maintain a training programme to ensure that any person assigned duties in relation to the safe operation of the operator's aircraft has the training necessary to perform their assigned duties, including skills in relation to human performance.
- (b) The training programme required by 125.751(a) shall be designed to ensure that any person assigned duties in relation to the safe operation of the operator's aircraft has achieved the necessary level of competency and is able to maintain that level of competency.
- (c) Ground and flight training programmes shall be established either through internal programmes or through the use of a training services provider.
- (d) The operator shall include the training programme syllabus within the Operations Manual either directly or by reference to a training manual.

### **125.753 Training for Flight Crew**

- (a) The training programme shall provide for flight crew to be trained in normal, abnormal and emergency situations, including the emergency evacuation of the aircraft.
- (b) Flight Crew shall be trained in the use of the operator's Standard Operating Procedures.
- (c) An operator shall utilise aircraft flight simulators as part of the training programme for flight crew to the maximum extent possible.
- (d) Training programmes for flight crew shall include training to competency for all equipment installed on the aircraft.
  - (1) An operator of an aeroplane equipped with ACAS II shall ensure that the flight crew are trained to competency in the use of ACAS II equipment and the avoidance of collisions.
  - (2) The training programme shall take account of equipment installed on the aircraft on a temporary basis or for the purpose of carrying out a specific task.
- (e) Training programmes for flight crew shall include knowledge of crew resource management, threat and error management, the carriage of dangerous goods and such particular requirements as may apply to the Operation. Dangerous goods training shall apply regardless of whether the Operator holds an approval to carry dangerous goods.

### **125.755 Proficiency checks**

- (a) An operator shall ensure that piloting technique, the use of Standard Operating Procedures and the ability to execute emergency procedures is checked at least every 12 months in such a way as to demonstrate the pilot's competence.
- (b) An operator shall ensure that a pilot's competence to comply with the instrument flight rules is demonstrated every 12 months either to a check pilot of the operator or another check pilot authorised by the Governor.

### **125.757 Cabin Crew**

- (a) The training programme required by 125.751 shall provide for cabin crew to be trained in normal, abnormal and emergency situations, including the emergency evacuation of the aircraft, before being assigned duty as a cabin crew member.
- (b) Cabin crew shall receive training in their actions and responsibilities in regard to the carriage of dangerous goods.

### **125.759 Task Specialists**

- (a) The training programme required by 125.751 shall provide for task specialists to be trained in normal, abnormal and emergency situations, including the emergency evacuation of the aircraft, before being assigned duty as a crew member.
- (b) Task specialists shall receive training in their actions and responsibilities in regard to the carriage of any items of dangerous goods.

### **125.761 Flight Operations Officers / Flight Dispatchers**

An operator shall ensure that any person assigned duties as a flight operations officer or flight dispatcher is trained with and maintains familiarisation with all features of the operation which are pertinent to their duties.

### **125.763 Security training**

An operator implementing a security programme shall establish and maintain an appropriate training programme to ensure that any crewmember is able to take appropriate action to prevent acts of unlawful interference and to minimise the consequences of such occurrences should they occur.

## **Subpart K – Flight and duty time limits**

### **125.801 Fatigue Management programme**

- (a) An operator shall establish and implement a fatigue management programme to ensure that all personnel involved in the operation and maintenance of aircraft do not carry out their duties when fatigued.
- (b) The fatigue management programme shall specify the flight and duty times for aircraft crew members.
- (c) Details of the fatigue management programme shall be recorded in the Operations Manual.

### **125.803 Flight and Duty time limitations**

- (a) Where the fatigue management programme permits deviations from the specified flight or duty time limitations, the programme shall specify:
  - (1) the identify of the person or persons authorised to approve deviations from the specified flight or duty time limitations; and
  - (2) the method to be used to assess the risks associated with exceeding the specified limitations, and the actions to be taken to ensure there is no degradation in the safety of that aircraft operation.
- (b) No deviation from the specified flight or duty time limitations shall be made if the pilot-in-command believes that the deviation would be detrimental to the safety of that aircraft operation.
- (c) When deviation from the specified limitations of the fatigue management programme occur, the details shall be recorded in writing, including the name of the person approving the deviation, the assessment of risk carried out and related mitigating action.
- (d) Records of any deviation from the specified limitations of the fatigue management programme shall be maintained for a period of 12 months, or as specified by the operator's safety management system, whichever is greater.

## **Subpart L - Documents And Records**

### **125.901 Journey log book or equivalent record**

- (a) Each operator shall ensure that an accurate journey log book (or equivalent record) is kept for each flight or series of flights and contains:
  - (1) aircraft nationality and registration; and
  - (2) date; and
  - (3) names of crew members; and
  - (4) duty assignments of crew members; and
  - (5) place of departure; and
  - (6) place of arrival; and
  - (7) time of departure; and
  - (8) time of arrival; and
  - (9) hours of flight; and
  - (10) nature of flight; and
  - (11) incidents and observations (if any); and
  - (12) signature of person in charge.
- (b) Each operator shall ensure each daily flight record is kept for a period of 24 months after the date of the record.

### **125.903 Documents to be carried**

- (a) The operator shall ensure that a flight is not commenced unless the following documents are in force and will remain so for the duration of the flight:
  - (1) the valid Certificate of Airworthiness or Permit to Fly; and
  - (2) the Certificate of Registration for the aircraft; and
  - (3) the aircraft radio station licence; and
  - (4) a copy of any permissions, authorisations or exemptions relevant to the flight; and
  - (5) a noise certification document, if applicable; and
  - (6) a copy of the dangerous goods approval, if applicable.

- (b) The documents required by 125.903(a) shall be carried on each flight except that:
- (1) where the flight is intended to begin and end at the same aerodrome and
  - (2) that aerodrome is located in a Territory and
  - (3) the planned flight does not include passage over the territory of any other State
- the documents may be kept at that aerodrome of departure instead of being carried in the aircraft.
- (c) Where the documents required by paragraphs 125.903(a)(1) and (2) are required to be carried and are written in a language other than English, an English translation shall be provided.
- (d) An operator shall have procedures in place to ensure that the following documents are carried on the flight:
- (1) the flight crew licences of each member of the flight crew; and
  - (2) current maps and/or charts of the route to be operated and any other routes which the aircraft may operate in the event of the aircraft diverting; and
  - (3) essential data relating to the search and rescue facilities in the areas in which the flight will be operated, or may be operated in the event of a diversion, and including the ground-air signal codes; and
  - (4) a copy of the notified procedures to be followed by the pilot-in-command of an intercepted aircraft, and the notified visual signals for use by intercepting and intercepted aircraft; and
  - (5) the flight manual for the aircraft, or equivalent document; and
  - (6) such documentation as will enable the pilot-in-command to record the information required at 125.901. This may include items such as the operational flight plan, aeroplane technical log etc; and
  - (7) the operations manual, or those parts of it that apply to flight operations

## **125.905 Aircraft Flight Manual**

An operator shall ensure that the aircraft flight manual is kept fully up to date, taking account of any changes mandated by the Governor.

## 125.907 Flight Recorders – preserving records

The operator of an aircraft that has aircraft flight recorders installed shall ensure that, in the event of the aircraft becoming involved in an accident or incident, the related flight records and, if necessary, the flight recorders, shall be retained in a safe place until the investigating authority has determined their disposition.

## 125.909 Records of emergency and survival equipment

- (a) The operator shall maintain lists of information on the emergency and survival equipment carried on the aircraft. The lists shall include details of:
  - (1) number, colour and type of life raft carried; and
  - (2) pyrotechnics carried; and
  - (3) details of emergency medical supplies; and
  - (4) water supplies; and
  - (5) type and frequencies of emergency portable radio equipment.
- (b) The operator shall ensure that lists maintained in accordance with 125.909(a) are at all times ready for immediate communication to rescue coordination centres.

## 125.911 Fatigue Management records

Records of any deviation from the specified limitations of the fatigue management programme shall be maintained for a period of 12 months, or as specified by the operator's safety management system, whichever is greater.

## 125.913 Cosmic Radiation records

- (a) An operator shall keep records of the assessment of the exposure of crewmembers to cosmic radiation for a minimum period of 12 months.
- (b) An operator shall keep written records of the exposure to cosmic radiation of those crewmembers who are liable to an exposure in excess of 1 milliSievert per year for a minimum period of 24 months.
- (c) Where crewmembers have been exposed to cosmic radiation in excess of 6 milliSieverts in one year, the operator shall keep written records of that persons exposure until the later of either:
  - (1) the 75th anniversary of his birth, whether or not that person survived to that date; or
  - (2) the 30th anniversary of the termination of his work which involved exposure to cosmic radiation.

- (d) where an operator assesses individual exposure to cosmic radiation, the records shall include:
  - (1) the names of the crewmember; and
  - (2) the detail of each assessment of exposure to cosmic radiation (in milliSieverts per year); and
  - (3) the date of the assessment.
  
- (e) where an operator does not assess individual exposure to cosmic radiation but instead assesses the exposure of groups of crewmembers, the records shall include:
  - (1) the names of all crewmembers covered by the assessment; and
  - (2) the maximum dose of cosmic radiation (in milliSieverts per year) to which those crewmembers are likely to be exposed; and
  - (3) how the dose has been calculated; and
  - (4) the period of time that the assessment is valid.