

**Civil Aviation Authority of Malaysia**  
**CIVIL AVIATION NOTICE (CAN)**



<b>Notice No:</b>	<i>CAN 005/2021</i>	<b>Issuing Office:</b> <i>Civil Aviation Authority of Malaysia Level 8, Galeria PJH, Persiaran Perdana, Presint 4, 62100 Putrajaya, Wilayah Persekutuan Putrajaya Malaysia.</i>
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<b>Expiry Date:</b>	<i>30 June 2022</i>	
<b>Related Reg:</b>	<i>Reg 72 and Reg 73 of MCAR 2016.</i>	
<b>Revision:</b>	<i>01</i>	

**OPERATIONS BEYOND MAXIMUM FDP**

**1 Introduction**

**1.1 Purpose and scope**

1.1.1 The purpose of this document is to provide guidelines to operators in Malaysia for the implementation of operations beyond the allowable FDP depicted in Chapter 2 of CAD 1901 – FTL Issue 01 Revision 01.

1.1.2 CAN 005/2021 Revision 01 is issued to reflect changes to reference documents and related regulations in CAN 005/2021 Issue 02. This CAN 005/2021 Revision 01 supersedes CAN 005/2021 Issue 02. Revised items are marked with a revision bar.

**1.2 References**

1.2.1 It is intended that the following references materials be used in conjunction with this document.

- a) Civil Aviation Regulation 2016;
- b) Civil Aviation Directive 1901 – Flight Time Limitations Issue 01 Revision 00.
- c) ICAO Quick Reference Guidance - Variations to existing flight and duty time limitations dated 17 April 2020; and
- d) ICAO Council Aviation Recovery Task Force (CART) – Take-off: Guidance for Air Travel through the COVID-19 Public Health Crisis.

**1.3 Abbreviations**

CAAM	Civil Aviation Authority Malaysia
MCAR	Malaysian Civil Aviation Regulation
CART	Council Aviation Recovery Task Force
COVID-19	Corona Virus Disease 2019
FDP	Flight Duty Period

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CAD	Civil Aviation Directive
FTL	Flight Time Limitation
ICAO	International Civil Aviation Organisations
LT	Line Training
PIC	Pilot In Charge
PCR	Polymerase Chain Reaction

## **2 Background**

- 2.1 CAAM is aware on the effect of COVID-19 on the air operators in Malaysia as well global impact from the pandemic. This document is intended to provide air operators in Malaysia with guidelines on application and implementation of operations with planned FDP exceeding the maximum allowable FDP as stated in CAD 1901 – FTL Issue 01 Revision 01.
- 2.2 Since the publication of the first version of the guidelines, various regulation and procedure changes has developed and with it; multitude of safety risks, hazards and complication to operations. New strains of the virus, changes on quarantine requirements, invasive or non-invasive test requirements and country/state pandemic conditions are some of the challenges faced by the aviation industry.
- 2.3 This guidance is developed to ensure that air operators will be able to conduct operations within the approval of CAAM. Complying with the prescription in this document does not relieve the operator of the responsibility to manage risks, including fatigue-related risks, using its SMS in accordance with the provisions of CAD 19 and ICAO Annex 19.

## **3 Application By Operator To Operate Beyond Maximum Allowable FDP**

- 3.1 Any operator who wish to operate beyond the stipulated FDP limits in Chapter 2 of CAD 1901 shall submit their application to CAAM for approval.
- 3.2 All application shall be accompanied by documents as listed in Attachment A of this document.
- 3.3 Approved variations shall provide a level of safety equivalent to, or better than, that can be achieved through the prescriptive fatigue management regulations.
- 3.4 Operator shall establish the augmented crew requirement and FDP in their relevant notices / documents in order to conduct this operation beyond maximum FDP.

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## **4 Criteria For Compliance**

4.1 The following shall be the criteria for approval of any request to operate beyond the allowable FDP depicted in Chapter 2 of CAD 1901. It is divided into two sections, criteria for maximum FDP of up to 17 (seventeen) hours and additional criteria for FDP beyond 17(seventeen) hours and up to 21(twenty-one) hours.

4.1.1 Criteria for approval of maximum FDP up to 17(seventeen) hours are as follows:

- a) PIC's discretion to extend duty shall be limited to 03:00 hours (three hours).
- b) Additional crew members must be carried on board and in-flight relief must be utilised.
- c) Maximum number of sectors for such operations are limited to 2 (two), however, may be increased to 3 (three) for diversion or emergency.
- d) Minimum rest period at the destination (outbound from Malaysia) shall be as long as the preceding duty period, or 12 (twelve) hours, whichever is greater.
- e) Operator shall ensure compliance to paragraph 2.12.1 and 2.12.2 of CAD 1901. For paragraph 2.12.2, previously approved rest area may be utilised.
- f) All crew members operating such flights shall be accorded a minimum of 2 (two) off days upon return to Malaysia after the flight or series of flights
- g) All in flight rest shall be taken in the crew bunk if available or in suitable seats in the cabin. Such seat shall be the most suitable for in-flight rest.
- h) No crew shall be rostered/planned to operate such flight (affected route) for more than once every 7 days.
- i) To reduce workload in-flight, the following applies:
  - 1) Cabin services shall be simplified.
  - 2) No LT shall be conducted unless the trainee is already functional, that is, no safety pilot required.
  - 3) No cabin performance or surveillance check shall be conducted during these operations.
  - 4) No Flight Audit or Cabin Audit shall be conducted during these operations.

4.1.2 In addition to 4.1.1, listed below are the additional criteria for approval of maximum FDP above 17 (seventeen) hours and up to 21 (twenty one) hours:

- a) In flight rest shall be taken in a compartment that separated from passengers.
- b) The rest compartment shall have temperature and lighting control.

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- c) The noise level in the rest compartment shall be kept at lowest possible level.
- d) Minimum rest period at the destination (outbound from Malaysia) shall be as long as the preceding duty period, or 12 (twelve) hours, whichever is greater.
- e) All crew members operating the flight shall have a minimum of 2 (two) duty days off prior to operating the flight. For operations that require a PCR or RAPID testing prior to the flight, a minimum of 3 (three) days off are required prior to operating the flight AND one of the off days may be utilised to undergo the PCR/RAPID test.
- f) All crew members operating such flights shall be accorded a minimum of 4 (four) off days upon returning to Malaysia after the flight or series of flights.
- g) Operator shall conduct a continuous monitoring on the fatigue level of the operating crew. Continuous monitoring may be accomplished by a survey conducted at top of descent and/or monitoring the crew fatigue reports.

## **5 Mitigating Risks On Operations**

### **5.1 Operator shall consider the following in their RA:**

- a) The crew exposure to the risk of COVID-19 infection due to lay over or night stopping at other stations outside of Malaysia.
- b) The necessary mitigations to address the increased fatigue risks.
- c) The flight and duty period limits and rest requirements (including pre- and post-trip pattern).
- d) How the need for adequate sleep, for limiting periods of wake, circadian effects and workload are to be addressed
- e) A contingency plan or plans that covers operational and fatigue related issues that may arise during the flight (i.e. technical problems, weather, delays, crew unfit to continue duty).
- f) The accommodation requirement as per paragraph 2.2 of CAD 1901 are met.
- g) Crew nutritional needs are met as per paragraph 2.23 of CAD 1901.

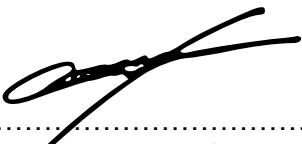
### **5.2 Operator should consider the following in mitigating the risks:**

- a) Restricted dispatch conditions; such as fuel, limits on number of passengers, cargo, limits on turn-around time.
- b) Protection around commuting to / from work.
- c) Fatigue awareness briefing or promotions to crew members

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- d) Provision for PIC to arrange inflight rest in accordance to the actual condition; such if there is a delay or operational restrictions.
- e) Carriage of additional augment crew member/members to reduce the fatigue level of operating crew members.



(.....)

**CAPTAIN CHESTER VOO CHEE SOON**

Chief Executive Officer  
for Civil Aviation Authority of Malaysia

*25<sup>th</sup> December 2021*

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**Attachments**

**Attachment A - Application For Operations Beyond Max Allowable FDP**

**APPLICATION FOR OPERATIONS BEYOND MAX ALLOWABLE FDP**

1. Application for operating beyond maximum allowable FDP shall be accompanied by the following documents:
  - a) Risk Assessment for the proposed operations.
  - b) Mitigation action for the Risk Assessment
  - c) Sample calculation on FDP and FDP limit for the proposed operation/s
  - d) Draft circular/notice/memorandum to crew members on the operations.
  - e) Current requirements/regulations for arriving crew/passengers for the every stop and destination intended; including maximum allowable layover period.
2. Application shall be forwarded to CAAM in writing or electronic mail.
  - 2.1. Operations shall not be conducted prior to approval from CAAM.
3. Sample of table for planned FDP and Maximum Allowable FDP:

<b>SECTOR</b>	<b>REPORTING TIME</b>	<b>ETD</b>	<b>ETA</b>	<b>FDP</b>	<b>MAX FDP</b>	<b>REQUESTED MAX FDP</b>
KUL/PKX/KUL	15:25	16:40	06:30	15:05	10:15	17:00