



**CIVIL AVIATION DEPARTMENT
MALDIVES**

**NOTICE OF PROPOSED RULE MAKING
NPRM NO: 2009-02**

14 January 2009

**Air Safety Circular ASC 00-1
Maintenance Personnel Duty Time Limitations**

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1. Purpose of this NPRM

The purpose of this NPRM is to consult the industry before issuing Amendment 1 to Air Safety Circular “ASC 00-1 Maintenance Personnel Duty Time Limitations”.

2. Background to the Proposal

The purpose of this Amendment 1 to ASC 00-1 is to streamline the duty time limitations and rest periods in this Circular with the International Federation of Airworthiness and the Maldivian Employment Act. This amendment further includes a new heading under which it describes the procedure to be followed in unforeseen circumstances in operations whereby the published duty time and rest periods may be modified.

References: IFA “Guidance information for the Establishment of Duty Time Limitations and Rest Periods” dated November 2007, Maldivian Employment Act.

3. Key Stakeholders

The following are identified by the CAD as key stakeholders in the proposed amendments to regulations contained in this NPRM:

- Island Aviation Services Ltd
- Maldivian Air Taxi Pvt Ltd
- Trans Maldivian Airways Pvt Ltd
- Aircraft Maintenance Personnel

4. Submissions on the NPRM

4.1 Submissions are invited

Interested persons are invited to participate in the making of the proposed rules by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rule making is taken.

4.2 How to make a submission

Comments on this proposal may be forwarded (*preferably by e-mail*), using the NPRM Submission Form given in Appendix 1. The NPRM Submission Form is also available on the CAD website www.aviainfo.gov.mv.

Submissions may be sent by the following methods:

by mail: Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male’ 20307
Republic of Maldives

fax: + 960 3323039

e-mail: safety@aviainfo.gov.mv

4.3 Final date for submissions

Comments must be received before 20 February 2009.

4.4 Availability of the NPRM

Any person may obtain a copy of this NPRM from:

CAD website: www.aviainfo.gov.mv/regulations/nprm.php

or from:

Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male' 20307
Republic of Maldives

4.5 Further Information

For further information contact the Regulation Project Coordinator:

Adam Mufassir
Assistant Airworthiness Engineer
Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male' 20307
Republic of Maldives

Tel: + 960 3324988
Mob: + 960 7787396
e-mail: safety@aviainfo.gov.mv

5 Proposed Rule Amendments

Amendment 1 to Air Safety Circular ASC 00-1 (draft copy attached) will be issued.



Aiminath Solih
DIRECTOR GENERAL

NPRM No:	Title:
Date of your Submission:	Comment Close-Off Date (as specified in NPRM):

Please return this response sheet to the Ministry of Civil Aviation and Communication by comment close-off date, by e-mail to safety@aviainfo.gov.mv, by post addressed to this Ministry, 7th floor P.A Complex, Hilaalee Magu, Male', or by fax to + 960 3323039

Please indicate your acceptance or otherwise of the proposal by ticking the appropriate box below. Any additional constructive comments, suggested amendments or alternative action will be welcome and may be provided on this response sheet or by separate correspondence.

- The proposal is **acceptable without change.**
- The proposal is **acceptable but would be improved if the following changes were made:**

- The proposal is **not acceptable but would be acceptable if the following changes were made:** (Please provide explanatory comment and use additional pages if required)

- The proposal is **not acceptable under any circumstance:** (Explanatory comment must be provided using additional pages if required)

Individual's Details (complete if your submission is on behalf of yourself)		Organisation's Details (if your submission is on behalf of the organization you represent)	
Your Name:		Organisation:	
Address:		Address:	
Phone:	Fax:	Phone:	Fax:
E-mail:		E-mail:	
Mobile:		Your Name and Position:	
Signature:		Signature:	



CIVIL AVIATION DEPARTMENT
Republic of Maldives

DRAFT COPY
AIR SAFETY CIRCULAR

ASC 00-1
Maintenance Personnel Duty Time Limitations

Amendment 1, 14 January 2009

1. REGULATORY COMPLIANCE

Compliance with this Circular is mandatory for Maldivian organisations approved under MCAR-145 and MCAR-M.

2. RELATED REGULATIONS

This Circular relates specifically to MCAR-145 and MCAR-M.

3. PURPOSE

The purpose of this regulation is to establish maintenance personnel duty time limitations in accordance with the human factors principles laid down by the International Civil Aviation Organisation, International Federation of Airworthiness and Maldivian Employment Act.

4. DEFINITIONS

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

'Day' means a period of 24 hours beginning at midnight;

'Employer' means the person/organisation by whom an individual is (or, where the employment has ceased, was) employed;

'Maintenance personnel' means a person engaged in maintenance, repair and overhaul of commercial aircraft regardless of qualifications or employer. This includes persons employed in the preparation of maintenance instructions and tasks;

'Night shift' means a shift where three or more hours of which falls between 11pm and 6am;

‘Rest day’ means a period of one day during which an individual is free of all work and/or standby duties;

‘Shift/Working time’ means:

- any period during which an individual is working (includes rest breaks), at his/her employer's disposal and carrying out his/her activity or duties (excludes travel time to work)
- any period during which an individual is receiving relevant training.

5. RIGHTS AND OBLIGATIONS CONCERNING WORKING TIME OF MAINTENANCE PERSONNEL

5.1 Daily working hour limits

- (a) No scheduled shift shall exceed 12 hours.
- (b) No shift shall be extended beyond a total of 13 hours by overtime.
- (c) A minimum rest period of 9 hours shall be allowed between the end of a shift and the beginning of the next, and this should not be compromised by overtime.

5.2 Breaks

- (a) The working time before a rest break shall be a maximum of 4 hours.
- (b) Minimum rest break of 10 minutes, plus 5 minutes for each hour worked, to a maximum of 30 minutes should be scheduled and utilized. The process begins after every 30 minute rest break is taken.
- (c) Employer may give additional breaks, other than the rest breaks, during a shift to compensate for work planned ahead. In no circumstance the total working time shall exceed 13 hours including rest breaks and overtime. This clause shall not be misused for the benefit of any undue advantage.
- (d) Maintenance personnel are entitled to spend the rest breaks and other additional breaks away from his/her work place.

Note: Rest Breaks and Additional Breaks have definite meanings. Rest Breaks are breaks entitled by an employee after a working time of 4 hours. Additional Breaks are planned breaks provided by the employer to compensate for planned work ahead.

5.3 Weekly working hour limits

- (a) Scheduled work hours shall not exceed 48 hours in any period of 7 successive days.
- (b) Total work, including overtime, shall not exceed 60 hours in any period of 7 successive days or 6 successive work days before a period of rest days.

- (c) A period of rest days shall include a minimum of 2 successive rest days (i.e. a minimum of 48 hours off). This limit shall not be compromised by overtime.

5.4 Annual limits

- (a) Wherever possible, the aim shall be for a total of 30 days of annual leave.

5.5 Night shift limits

(a) Scheduled night shifts should be limited to no more than 6 days in each 7 calendar days of 8 hour duration, or 4 days on each 7 calendar days of 12 hour durations, including overtime.

(b) A minimum rest period of 9 hours shall be allowed between the end of a night shift and the beginning of the next, and this should not be compromised by overtime.

5.6 Window of Circadian Low (WOCL)

Where possible, the Window of Circadian Low (WOCL) should be taken into account in the preparation of duty time and rest periods.

This is the period between 02:00 hours and 05:00 hours, local time.

At other work locations away from home base, where it is necessary to position employees for duty periods, due note should be taken of time zone changes and proper allowance made for the proven effect such changes have on alertness and physical ability.

5.7 Notice of schedule

- (a) Whenever possible, aircraft maintenance personnel shall be given at least 7 days' notice of their work schedule.

5.8 Additional requirements

- (a) Aircraft maintenance personnel shall be required to report for duty adequately rested.
- (b) Aircraft maintenance personnel shall be discouraged or prevented from working for other commercial organisations on their rest days and, hence, from exceeding the limits on work schedules despite their implementation by their main employer.

5.9 Records

An employer shall:

- (a) keep records which are adequate to show whether the limits specified in paragraphs 5.1 to 5.8 are being complied with in the case of each maintenance personnel employed by him in relation to whom they apply; and
- (b) retain such records for 2 years from the date on which they were made.

6. UNFORESEEN CIRCUMSTANCES IN OPERATIONS

In the event of unforeseen circumstance occurring, during daily scheduled operations which had arisen after shift reporting time, the limits for the published duty time and rest periods may be modified. Any such modifications should be reviewed and approved by the responsible senior management individual on duty at the working location and inform CAD within 48 hours of amendment. This clause shall not be misused for the benefit of any undue advantage.

7. EFFECTIVITY

(a) This Circular becomes effective on 01 March 2009.

- (b) MCAR-145 and MCAR-M organisations approved prior to 1 January 2009, shall comply with
 - i. the provisions of paragraph 5.3, before 1 October 2009
 - ii. all other provisions of this Circular, before 1 January 2009.

8. CANCELLATION

With effect from 01 March 2009, ASC 00-1, Initial Issue, dated 9 April 2008 will be cancelled and should be destroyed.

For the Civil Aviation Department
Aiminath Solih
DIRECTOR GENERAL