

► This RA has been substantially re-written; for clarity, no change marks are presented - please read RA in entirety ◀

RA 2302 - Responsibilities in the Air

Rationale

Aircrew are required to operate UK Military Registered Air Systems in inherently hazardous regimes in order to achieve their mission. If Aircrew do not fully understand their responsibilities in the air with regard to safe Air System operations, Risk to Life may not be reduced to a level that is As Low As Reasonably Practicable (ALARP) and Tolerable. This regulation requires Aviation Duty Holders (ADH) and Accountable Managers (Military Flying) (AM(MF)) to produce orders and instructions detailing Aircrew responsibilities in the air for their Area of Responsibility (AoR).

Contents

2302(1): Responsibilities in the Air

Regulation 2302(1)

Responsibilities in the Air

2302(1) All Aircrew **shall** ensure that the mission, sortie or task, for which they have been Authorized, is executed in a manner that minimizes the risk and hazards to the Air System, its occupants, ground crew, other airspace users and third parties over which their Air Systems are flown.

Acceptable Means of Compliance 2302(1)

Responsibilities in the Air

1. ADH and AM(MF) **should** issue orders or instructions detailing the duties and responsibilities in the air for all Aircrew under their command or control.
2. Aircrew **should** ensure that they are familiar with the relevant regulations, orders, instructions and laws which are applicable to them, and diligently conduct themselves so as to remain within any boundaries set therein.
3. Aircrew **should** be responsible for the safe operation of any equipment and services under their control, and report to the Aircraft Commander any action, fault, failure, malfunction or defect that may affect the Airworthiness or safe operation of the Air System.
4. ADH and AM(MF) **should** specify in orders the minimum crew to be carried in each type and / or mark of Air System within their AoR.

Guidance Material 2302(1)

Responsibilities in the Air

5. If, at any time, any member of the crew considers that the safety of the Air System, or any other Air System or person is jeopardised in any way, they will advise the Aircraft Commander accordingly and, if necessary, offer specific guidance to avoid any hazardous situation.
6. The Aircraft Commander possesses the authority to disembark any person, or any part of the cargo which, in their opinion, represents a potential hazard to the safety of the Air System or its occupants.

Applicability of the Armed Forces Act (AFA)

7. There are a number of offences which may arise from the manner in which an Air System is flown. These include:
 - a. Dangerous flying (Section 33 Armed Forces Act 2006 or its amendments).
 - b. Low flying (Section 34 Armed Forces Act 2006 or its amendments).

**Guidance
Material
2302(1)**

- c. Annoyance by flying (Section 35 Armed Forces Act 2006 or its amendments).
 - d. Unfitness through alcohol or drugs (Section 20 Armed Forces Act 2006, as amended by AFA 2011).
8. In addition, an offence may be committed where Aircrew contravene standing orders (Section 13 Armed Forces Act 2006 or its amendments) or perform their duty negligently (Section 15 Armed Forces Act 2006 or its amendments).
9. The orders created by the ADH and AM(MF) together with the relevant parts of the Military Aviation Authority Regulatory Publications and the Armed Forces Act 2006, provide the disciplinary framework governing military flying.
10. Civilians may be subject to service discipline by virtue of Section 370 of the Armed Forces Act 2006 or its amendments. Under the provisions of Section 370 and Section 49 of the Armed Forces Act 2006 they may be prosecuted if they conduct in, or in relation to, a military aircraft, any act that if done in or in relation to a civil aircraft would amount to a prescribed Air Navigation Order offence.