

**NPA/24/39**

**Title of Proposal:** RA 2302 – Crew Responsibilities when Operating or Employed on an Air System.

**RA(s) or Manual Chapter(s):** RA 2302 Issue 5.

**Organizations and / or business sectors affected:** All of the Regulated Community.

**RFC Serial No:** MAA/RFC/2022/110

*MAA Author*

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**Cross-references to Other Documents or Relevant Sources**

**Other MRP Amendments:** N/A

**Service Inquiry Recommendations:** N/A

**AAIB Recommendations:** N/A

**Other Investigation Recommendations:** N/A

**Any Other Document:** N/A

**Feedback Notes for the Regulated Community**

The Regulated Community are invited to offer feedback about the proposed amendment in the following areas:

- Air or Flight Safety impact
- Operational impact
- Errors or omissions
- Timescale for implementation
- Cost of implementation
- Amendment to internal processes/orders

- Resourcing the outcome of change
- (Contract amendments because of the change)

The format for feedback is available within a single Excel Template file on both internal and external MAA websites; it is important to use this format to ensure that your responses are considered and answered correctly.

**Summary of Proposed Amendment**

**Objective:** Quinquennial Review and adaption for RPAS

**Changes made:** The main change is to the title of the RA to capture RPAS crew and to clarify that the RA applies equally to Aircrew and Supernumerary Crew. Additionally, paragraph 4 has been amended to require the ADH / AM(MF) to specify the minimum crew required for ‘the safe operation’ of Air Systems rather than ‘to be employed on’. Crew compliment may vary by mission profile and the MAA is concerned with the minimum compliment for safety.

**Impact Assessment:** Minimal.

**Consultation Period Ends:** 12 August 2024

The consultation period for this proposed amendment ends on the stated date. Please send your feedback, using the Response Form, via email to [DSA-MAA-MRPEnquiries@mod.gov.uk](mailto:DSA-MAA-MRPEnquiries@mod.gov.uk)

*MAA Approval*

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## RA 2302 - Responsibilities ► when Operating or Employed on an Air System ◀

### Rationale

► ◀ UK Military Registered Air Systems ► operate ◀ in inherently Hazardous regimes in order to achieve their mission. If ► the Aircrew / Supernumerary Crew do ◀ not fully understand their responsibilities with regard to safe Air System operations, Risk to Life may not be reduced to a level that is As Low As Reasonably Practicable and Tolerable. This Regulation requires Aviation Duty Holders (ADH) and Accountable Managers (Military Flying) (AM(MF)) to produce orders and instructions detailing ► Aircrew / Supernumerary Crew ◀ responsibilities ► when operating or employed on an Air System ◀ for their Area of Responsibility (AoR).

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#### 2302(1): Responsibilities ► when Operating or Employed on an Air System ◀

### Regulation 2302(1)

#### Responsibilities ► when Operating or Employed on an Air System

2302(1) Aircrew / Supernumerary Crew ◀ shall ensure that the mission, sortie or task, for which they have been Authorized, is executed in a manner that minimizes the Risk ► ◀ to the Air System, its occupants, ground crew, other airspace users and third parties ► ◀.

### Acceptable Means of Compliance 2302(1)

#### Responsibilities ► when Operating or Employed on an Air System ◀

1. ADH and AM(MF) **should** issue orders or instructions detailing the duties and responsibilities for ► all Aircrew / Supernumerary Crew within their AoR when operating or employed on an Air System.
2. Aircrew / Supernumerary Crew ◀ **should** ensure that they are familiar with the relevant Regulations, orders, instructions and laws which are applicable to them, ► and comply with them.
3. Aircrew / Supernumerary Crew ◀ **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 ► could ◀ affect the Airworthiness or safe operation of the Air System.
4. ADH and AM(MF) **should** specify in orders the minimum crew ► required for the safe operation of ◀ each type and / or mark of Air System within their AoR.

### Guidance Material 2302(1)

#### Responsibilities ► when Operating or Employed on an Air System ◀

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. ► ◀

#### Applicability of the Armed Forces Act (AFA)

7. ► Among the sets of laws that Aircrew / Supernumerary Crew are subject to is the AFA 2006 or its amendments, within which ◀ are a number of offences which may ► be committed by Aircrew / Supernumerary Crew operating or employed on an Aircraft operating in the Service interest. ◀ These include:

- a. Dangerous flying (Section 33 AFA 2006 or its amendments);

**Guidance  
Material  
2302(1)**

- b. Low flying (Section 34 AFA 2006 or its amendments);
  - c. Annoyance by flying (Section 35 AFA 2006 or its amendments);
  - d. Unfitness through alcohol or drugs (Section 20 AFA 2006, as amended by AFA 2011);
  - e. ► **Contravention of Standing Orders (Section 13 AFA 2006 or its amendments);**
  - f. ► **Negligence in the performance of one's duty (Section 15 AFA 2006 or its amendments).** ◀
8. ► ◀
9. The orders created by the ADH and AM(MF) together with the relevant parts of the Military Aviation Authority Regulatory Publications and the AFA 2006 ► **or its amendments,** ◀ provide the disciplinary framework governing military flying.
10. Civilians may be subject to Service Discipline by virtue of Section 370 of the AFA 2006 or its amendments. ► **Offences that Civilians who are subject to Service Discipline can commit under the AFA 2006 or its amendments include the offence under Section 49 of** ◀ conduct in, or in relation to, a Military Aircraft, ► ◀ that if done in or in relation to a civil Aircraft would amount to a prescribed Air Navigation Order offence, ► **amongst other offences.** ◀

Draft for NPA