

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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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)

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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)

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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. ► *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 in the course of their duty*. ◀ These include:

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