

SIXTEENTH SCHEDULE

(Regulations 67 and 75)

AIR OPERATOR OPERATIONAL CONTROL AND FLIGHT RELEASE REQUIREMENTS

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SUBPART A: GENERAL**16.001 APPLICABILITY**

- (a) This Schedule prescribes the requirements for the operational control and flight release of aircraft by Jamaica AOC holders, both within Jamaica and during international operations outside Jamaica.
- (b) This Schedule is applicable to the AOC holder, the person designated by the AOC holder to issue a flight release and any other person that performs a function regarding the flight that can be construed to fall under the definition of operational control.

16.005 DEFINITIONS

For the purpose of this Schedule, the following definitions shall apply —

- (1) **“ATC flight plan”**. A flight plan filed with ATC that is specific to the flight, which meets the minimum requirements for an international flight as set out in the *AIP Jamaica*. A hard copy of an ATC flight plan shall be made available to the PIC during flight time and be available at the base of company operations;
- (2) **“company dispatch”**. A dispatch facility and system of flight release employed by a company that provides for co-authority over the operational flight plan. The system of company dispatch is described in the Company Operations Manual. Co-authority of operational control over a flight is exercised by the PIC and a responsible company flight dispatcher;
- (3) **“direct communication”**. The ability of the flight dispatcher and the PIC to communicate while —
 - (i) airborne, using the air operator’s facilities and electronic data link facility or any other facility

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- operated by a third party according to an agreement; and
- (ii) on the ground, at stations regularly served by the air operator using equipment accessible to the PIC and may include aircraft radios, telephone, data link or teletype;
- (4) **"dispatch facility"**. The facility provided by an operator, either directly or by contract, and includes at least –
- (i) equipment necessary for direct radio voice, telephone, data link or teletype contact with the PIC at each airport regularly served by the air operator within the area of responsibility;
 - (ii) adequate working environment including record keeping and flight planning facilities, including generally the required charts, maps, weather forecasts and reports; and
 - (iii) dispatchers with –
 - (A) copies of appropriate NOTAMs;
 - (B) all weather reports for airports used as destination and alternates;
 - (C) actual, forecast, area and terminal weather information for departure, enroute, destination and alternate aerodromes;
 - (D) information on flight conditions along the route of flight;
 - (E) aeroplane operating manuals and Minimum Equipment Lists, as appropriate;
 - (F) a Company Operations Manual;
 - (G) airport runway data and aircraft performance data;
 - (H) such additional information as may be needed to enable the formulation of an operational flight plan or to exercise flight watch services;
 - (I) a means to provide a hard copy of an operational flight plan, or an amendment to same, to the PIC; and
 - (J) a means of direct ATC contact.
- (5) **"flight release"**. Flight release of a flight occurs when the Flight Dispatcher has approved the Operational Flight Plan and has submitted it and all other required documentation to the PIC for acceptance. When there is disagreement between the flight dispatcher and the PIC over the dispatch of a flight, the disagreement resolution policy, where one has been specified by the air operator, or the most conservative course of action shall be followed.
- (6) **"flight dispatcher"**. A person licensed by the Authority in accordance with the Eight Schedule and authorized, after having met the training requirements specified in the Fourteenth Schedule, to exercise operational control over an AOC holder's flights.
- (7) **"flight following"** - Means a system of monitoring a flight's progress and provides for timely notification to the company operations manager and search-and-rescue authorities where a flight becomes overdue or is missing. Flight following procedures and the training and qualification for individuals performing flight following duties shall be described in the Company Operations Manual.
- (8) **"flight plan"** - means that there is a record of the planned flight and that ATC has been provided with advance notice of the flight through a company centre-stored flight plan or a flight plan filed for the particular flight.
- (9) **"flight watch"**. The method of flight supervision that ensures direct communication between the responsible flight dispatcher or other assigned personnel of the AOC holder and the PIC on any matters affecting the flight between the time a flight commences and terminates at its final destination.
- (10) **"pilot self-dispatch"**. A dispatch system authorized by the company operations manager and set out in the company operations manual which provides authority to the PIC to make operational decisions with respect to the preparation for, initiation, continuation or termination of a flight. Where a pilot self dispatch system is authorized, the PIC is responsible for the OFF.
- (11) **"pilot reports (Company)"**. Reports passed to a company's base of flight operations either by air radio or telephone, to the extent that facilities permit, on the progress of each flight. Where flight following is in effect and a qualified person is on duty, the PIC shall be responsible for passing messages concerning aeroplane departures and arrivals from point of origin, enroute stops and final destination to that person.
- (12) **"qualified person"**. An individual, other than a Flight Dispatcher, qualified in accordance with this Schedule to exercise the functions and responsibilities for operational control and who is on duty

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at the company-designated base of operations while flight operations are being conducted. A qualified person is a representative of the Director of Operations.

16.010 ACRONYMS

The following acronyms are used in this Schedule -

- (1) AOC – Air Operator Certificate;
- (2) ATC – Air Traffic Control;
- (3) ETA – Estimated Time of Arrival;
- (4) ETOPS – Extended Twin-engine Operations;
- (5) IMC – Instrument Meteorological Conditions;
- (6) LVTO – Low Visibility Take Off;
- (7) NOTAM – Notice to Airmen;
- (8) OFP – Operational Flight Plan;
- (9) RFM – Rotorcraft Flight Manual;
- (10) RVR – Runway Visibility Range;
- (11) RVSM – Reduced Vertical Separation Minimum;
- (12) PIC – Pilot-in-command;
- (13) SIC – Second-in-command;
- (14) SM – Statute Miles;
- (15) VMC – Visual Meteorological Conditions.

SUBPART B: OPERATIONAL CONTROL**16.015 OPERATIONAL CONTROL**

- (a) Every AOC holder or a designated representative shall exercise operational control of the aircraft it operates in commercial air transport and shall designate such person or persons charged with that responsibility. Operational control may be exercised by the AOC holder or contracted to a third party.
- (b) The primary task of operational control is the decision-making necessary to authorize, divert or terminate a commercial air transport flight.
- (c) Any person who participates in the decision-making for any of the tasks and functions associated with operational control is considered to be a party to the flight release of the aircraft and subject to the requirements of this Schedule.

16.018 OPERATIONAL CONTROL REQUIREMENTS

- (a) No AOC holder may operate an aircraft certificated for 9 or less passengers or a cargo-only aircraft with a load capacity of 3,175 kilograms (7,000 pounds) or less unless that AOC holder has an operational control system that –
 - (1) for VFR operations only, uses pilot self-dispatch and pilot reports with flight following procedures; and
 - (2) for domestic IFR, night VFR and international operations, uses a qualified person for flight following and pilot reports.
- (b) No AOC holder may operate an aircraft certificated for more than 9 but less than 20 passengers or cargo-only aircraft with a load capacity of more than 3,175 kilograms (7,000 pounds) unless that AOC holder has an operational control system that –
 - (1) for VFR operations only, uses pilot self-dispatch and pilot reports with flight following procedures;
 - (2) for domestic IFR or night VFR, uses a qualified person for flight following and pilot reports; and
 - (3) for international operations, uses a flight dispatcher with company dispatch and flight watch procedures.
- (c) No AOC holder may operate an aircraft certificated for 20 or more passengers, unless –

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- (1) for VFR operations only, uses a flight dispatcher with company dispatch;
- (2) for domestic IFR, night VFR and international operations, uses a flight dispatcher with company dispatch and flight watch procedures; and

(Note: With respect to the use of company dispatch, limited pilot self-dispatch of flights may be permitted at those enroute stops where a lack of communications facilities prevents the co-authority dispatch of a flight or where the flight is a charter flight. In such cases, the air operator shall develop, and submit to the Authority for approval, procedures to ensure adequate operational information is made available to the PIC to compensate for the lack of Flight Dispatcher participation in the flight's next operational flight plan.)

(Note: With respect to the use of flight watch, the requirements for flight watch may be satisfied by a system set out in the Company Operations Manual and approved by the Authority that ensures timely communications between a PIC and the responsible Flight Dispatcher over those routes not regularly served by the operator where direct communication is not practical because of a lack of facilities. Timely communication means the ability to establish communications between the PIC of a flight and the responsible flight dispatcher within 30 minutes of arrival at a destination or enroute stops and within one hour while airborne.)

16.020 FUNCTIONS ASSOCIATED WITH OPERATIONAL CONTROL

The person(s) exercising responsibility for operational control for an AOC holder shall —

- (1) authorize the specific flight operation;
- (2) ensure that an airworthy aircraft properly equipped for the flight is available;
- (3) ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
- (4) ensure that proper flight planning and preparation is made;
- (5) ensure that flight locating and flight following procedures are followed; and
- (6) for flights with 20 or more passenger seats, ensure the monitoring of the progress of the flight and the provision of information to the flight crew that may be necessary to safety.

16.025 QUALIFIED PERSONS REQUIRED FOR OPERATIONAL CONTROL FUNCTIONS

A qualified person or flight dispatcher shall be designated by the AOC holder to exercise the functions and responsibilities for operational control of the flights indicated in Subsection 16.018.

16.027 FLIGHT DISPATCHER PRIVILEGES

An aircraft dispatcher licensed under the Eighth Schedule may, when also qualified in accordance with the Fourteenth Schedule, exercise the privileges of this licence as the on-duty supervisor or in the immediate dispatch of aircraft in the flight progress (flight watch) system of a scheduled air carrier.

16.030 PILOT-IN-COMMAND RESPONSIBILITIES

- (a) For all flights, the PIC shares in the responsibility for operational control of the aircraft and has the situational authority to make decisions regarding operational control issues in-flight.
- (b) Where a decision of the PIC differs from that recommended, the person making the recommendation shall make a record of the associated facts.
- (c) The PIC may be designated as the sole person to exercise operational control when the AOC holder is using flight-locating as the primary method of flight supervision.

16.035 OPERATIONAL CONTROL DUTIES

- (a) For flights where a qualified person is performing the duties associated with operational control, that person —
 - (1) may assist the PIC in flight preparation and provide the relevant information required;
 - (2) may assist the PIC in preparing the operational and ATC flight plans;

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- (3) will record departure and arrival information and any other information passed on by the PIC;
 - (4) will furnish the PIC any information affecting the flight at enroute stops or via ATC; and
 - (5) in the event of an emergency, will initiate the applicable procedures contained in the AOC holder's Operations Manual.
- (b) For flights where a Flight Dispatcher is performing the duties associated with operational control, that person will —
- (1) assist the PIC in flight preparation and provide the relevant information required;
 - (2) assist the PIC in preparing the operational and ATC flight plans;
 - (3) sign the dispatch copy of the flight release;
 - (4) record departure and arrival information and any other information passed on by the PIC;
 - (5) will furnish the PIC any information which may be necessary for the safe conduct of the flight by appropriate means; and
 - (6) in the event of an emergency, initiate the applicable procedures contained in the AOC holder's Operations Manual.
- (c) A qualified person or Flight Dispatcher performing the operational control duties shall avoid taking any action that would conflict with the procedures established by —
- (1) air traffic control;
 - (2) the meteorological service;
 - (3) the communications service; or
 - (4) AOC holder

SUBPART C: FLIGHT RELEASE**16.045 FLIGHT RELEASE – GENERAL**

The AOC holder shall publish in the Operations Manual the procedures for flight release and clearly specify who is responsible for the preparation of the release.

16.048 DECISION-MAKING RECORDS

- (a) No person may issue a flight release for a commercial air transport unless the required flight preparation documents have been reviewed and determined to be complete and accurate.
- (b) The decision to authorize the flight release of an aircraft in commercial air transport operations must be recorded using a method that can be verified at any time within 3 months after the flight.
- (c) The signature of the PIC, and any other required person, on a filed OFP will be the primary method of recording that decision.
- (d) This flight release documentation must be retained at the point of departure by a designated representative of the AOC holder, unless the Authority has approved a different method.

16.050 FLIGHT RELEASE: AIRCRAFT MAINTENANCE REQUIREMENTS

- (a) An aircraft shall not be released for service unless there is in force a Certificate of Release to Service that has been entered in the Technical Log and certified by;
 - (1) an AME whose licence has been endorsed for the aircraft type and who has been authorised to make such a certification by the AOC holder under a maintenance system which has been approved by the Authority; or
 - (2) an AME, employed by an AMO, or the AOC holder, who has been approved to make such a certification under a maintenance system which has been approved by the Authority.
- (b) No person may issue a flight release for a commercial air transport operation using an aircraft with an inoperative instrument, item of equipment, or system, installed, except under the conditions specified

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in the Minimum Equipment List approved by the Authority for the AOC holder and for that type aircraft.

- (c) No person may issue a flight release for a commercial air transport operation unless the aircraft is airworthy and properly equipped for the intended flight operation.

16.053 FLIGHT RELEASE: CREW REQUIREMENTS

No person may issue a flight release for a commercial air transport operation unless the crew is qualified in accordance with the requirements of the Fourteenth and Fifteenth Schedules.

16.055 FLIGHT RELEASE: FACILITIES AND NOTAMS

- (a) No person may release an aircraft over any route or route segment unless there are adequate communications and navigational facilities in satisfactory operating condition as necessary to conduct the flight safely.
- (b) The qualified person or flight dispatcher shall ensure that the PIC is provided all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may affect the safety of the flight.

(Note: For their review of the OFP, the PIC will be provided with all available NOTAMs with respect to the routing, facilities and aerodromes.)

16.060 FLIGHT RELEASE: WEATHER REPORTS AND FORECASTS

- (a) No person may release a flight unless he is thoroughly familiar with reported and forecast weather conditions on the route to be flown.
- (b) No person may release a flight unless he has communicated all information and reservations they may have regarding weather reports and forecasts to the PIC.

16.065 FLIGHT RELEASE IN ICING CONDITIONS

- (a) No person may release an aircraft, when in their opinion or that of the PIC, the icing conditions that may be expected or are met exceed that for which the aircraft is certified and has sufficient operational de-icing or anti-icing equipment.
- (b) No person may release an aircraft any time conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is available to the PIC at the aerodrome of departure adequate facilities and equipment to accomplish the procedures approved for the AOC holder by the Authority for ground de-icing and anti-icing.

16.070 FLIGHT RELEASE UNDER VFR OR IFR

No person may release a flight under VFR or IFR unless the weather reports and forecasts indicated that the flight can reasonably be expected to be completed as specified in the release.

16.075 FLIGHT RELEASE: MINIMUM FUEL SUPPLY

No person may issue a flight release for a commercial air transport operation unless the fuel supply specified in the release is equivalent to or greater than the minimum flight planning requirements of the Tenth and Twelfth Schedules, including anticipated contingencies.

16.080 FLIGHT RELEASE: AIRCRAFT LOADING AND PERFORMANCE

No person may issue a flight release unless he or she is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation will not exceed the —

- (1) centre of gravity limits;
- (2) aircraft operating limitations; and

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- (3) minimum performance requirements.

16.085 FLIGHT RELEASE: AMENDMENT OR RE-RELEASE ENROUTE

- (a) Every person who amends a flight release while the flight is enroute shall record that amendment.
- (b) No person may amend the original flight release to change the destination or alternate aerodrome while the aircraft is enroute unless the flight preparation requirements for routing, aerodrome selection and minimum fuel supply are met at the time of amendment or re-release.
- (c) No person may allow a flight to continue to an aerodrome to which it has been released if the weather reports and forecasts indicate changes which would render that aerodrome unsuitable for the original flight release.

16.090 FLIGHT RELEASE WITH AIRBORNE WEATHER RADAR EQUIPMENT

No person may release a large aeroplane carrying passengers under IFR or night VFR conditions when current weather reports indicate that thunderstorms or other potentially hazardous weather conditions that can be detected with airborne weather radar, may reasonably be expected along the route to be flown, unless the airborne weather radar equipment is in satisfactory operating condition.