
STATUTORY INSTRUMENTS

2010 No. 1226

**The Civil Aviation (Working Time)
(Amendment) Regulations 2010**

Amendments to the 2004 Regulations

- 2.—(1) The Civil Aviation (Working Time) Regulations 2004(1) are amended as follows.
- (2) For regulation 2 (scope), substitute—
- “2. These Regulations apply to persons employed to act as crew members on board a civil aircraft flying for the purpose of—
- (a) public transport; or
- (b) the performance of a commercial air transport flight.”.
- (3) In regulation 3 (interpretation)—
- (a) after the definition of “collective agreement”, insert—
- ““commercial air transport flight” has the same meaning as in article 255(1) of the Air Navigation Order 2009(2);”;
- (b) after the definition of “inspector”, insert—
- ““local mean time” means the time to which a crew member is acclimatised for the purposes of a scheme;”;
- (c) omit the definition of “the purposes of public transport” and after the definition of “protection and prevention services or facilities”, insert—
- ““public transport” is to be construed in accordance with the conditions set out in article 260(2) of the Air Navigation Order 2009 in relation to an aircraft that is flying on a public transport flight;”;
- (d) in the definition of “scheme”, for “article 72(1)(b) of the Air Navigation Order 2000”, substitute “article 145(1)(b) or 149(a) of the Air Navigation Order 2009”;
- (e) in the definition of “working time”—
- (i) at the end of paragraph (b), delete “and”, and
- (ii) at the end of paragraph (c), add—
- ““and
- (d) subject to regulation 9A, any period during which he is on standby.”.
- (4) In paragraph (6) of regulation 5, omit “and in this paragraph” to the end.
- (5) After regulation 9, insert—

(1) [S.I. 2004/756](#).

(2) [S.I. 2009/3015](#), to which there is an amendment which is not relevant to these Regulations.

“Standby time

9A.—(1) For the purpose of calculating the total annual working time under regulation 9(b), time spent by a crew member on standby is to count in full as working time except where paragraph (2) or (3) applies, when it is to count as half the time spent.

(2) This paragraph applies where the period of notice given by the employer to the crew member before the crew member must report for duty is at least 2 hours 15 minutes.

(3) This paragraph applies where time spent by the crew on standby—

(a) is spent—

(i) at home,

(ii) in accommodation provided by the employer away from the place where the crew member is next required to report for duty, or

(iii) in other accommodation arranged by the crew member to stay in while temporarily deployed away from home; and

(b) is between the hours of 10.00 pm and 8.00 am local mean time, and during that time the crew member—

(i) can take undisturbed rest, and

(ii) is not called upon to report for duty.”.

(6) In sub-paragraphs (a) and (b) of regulation 10(2), for “article 72 of the Air Navigation Order 2000”, in each case substitute “a scheme referred to in article 145(1) or 149 of the Air Navigation Order 2009”.