



Croatian Civil Aviation Agency



OPERATIONAL CONTROL FOR AIR CARRIERS

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INTRODUCTION

In accordance with the rule ORO.GEN.110(c) of Part ORO of COMMISSION REGULATION (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, all aircraft operators holding certificate, SPO authorization or have declared their activity to CCAA, shall establish and maintain a system for exercising operational control over any flight operated under the terms of its certificate, SPO authorisation or declaration.

ICAO Annex 6, Part I, Chapter 3, point 3.1.4 and Part III, Chapter 1, point 1.1.5 specify that the responsibility for the exercise of operational control shall be dedicated to the pilot in command and to a flight dispatcher/flight operations officer if an operator's method of control and supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel.

Specific Operational Control Functions. Operational control includes, but is not limited to, the operator's performance of the following functions:

- Ensuring that only those operations authorized by the Operations Specifications are conducted;
- Ensuring that only crewmembers trained and qualified in accordance with the applicable regulations are assigned to conduct a flight;
- Ensuring that crewmembers are in compliance with flight and duty time limitations and rest requirements prior to departing on a flight;
- Designating a PIC and where applicable a First Officer (F/O) for each flight;
- Providing the PIC and other personnel who perform operational control functions; with access to the necessary information for the safe conduct of the flight (such as weather, NOTAMs, and airport analysis);
- Specifying the conditions under which a flight may be dispatched or released (weather minimums, flight planning, airworthiness of aircraft, aircraft loading, and fuel requirements);
- Ensuring that each flight has complied with the authorization specified for release before it is allowed to depart;
- Ensuring that when the authorization specified for a flight's release cannot be met, the flight is either cancelled, delayed, rerouted, or diverted; and
- Monitoring the progress of each flight and initiating timely actions when the flight cannot be completed as planned, including diverting or terminating a flight.

Given the power of authority, Croatian Civil Aviation Agency shall evaluate the adequacy of operator's operational control method in relation to:

- Type of operation;
- Frequency of operation;
- Complexity of operation;
- Area of operation;
- Number and type of aircraft operated;
- Available communication means;
- Flight following and flight locating means;
- Flight preparation means;
- Crew scheduling and controlling means.

Croatian Civil Aviation Agency recognizes two main acceptable types of operational control:

1. SCALABLE OPERATIONAL CONTROL SYSTEM

Scalable operational control system does not necessarily involve licensed nor employed Flight Dispatchers/Flight Operations Officers. Such operational control methods must be scalable to the size and the scope of operation. Whether an operator practices the method of operational control without using employed Flight Dispatchers/Flight Operations Officers, in other words, contracts the services flight operations support services or dedicates the responsibility for operational control to the pilot in command, the CCAA will consider the operator completely responsible and liable for exercising the functions of operational control. CCAA has no legal grounds to certify and oversee flight operations support organizations acting as service providers in the field of flight operations support. However, it is in the interest of safety and the operator that these service providers maintain acceptable level of safety of their services. The operators are obliged to put such service providers and their services under strict quality and safety inspections. That means that the operator is held responsible for the compliance with the valid rules and regulations in the field of operational control, flight preparation and flight operations support, as if these services were provided by the operator itself. All required documents delivered by a contracted service provider (e.g. OFP, M&B...) must be signed by the commander in the respective fields ("Approved by", "Checked by" or similar). There must be a process defined and documented in operations manual for the exercise of coordination, authorization and localization of operator's flights at all times.

Although not a legal requirement, operators who contract flight preparation services are strongly encouraged to make sure that before contracting the service and during the lifetime of the contract, service provider complies with at least following conditions:

- Personnel involved in flight preparation tasks are properly trained and qualified in accordance with syllabus in ICAO document 7192 D3 or possess valid Flight Dispatcher/Flight Operations Officer license issued by the ICAO member state;
- Personnel involved in flight preparation tasks have an access to operator's operational documentation (OM, AFM, M&B manual...) or parts thereof necessary for the execution of their duties and responsibilities;
- Communication means are in place to enable uninterrupted delivery of flight preparation packages to the flight crew at any point of the operator's approved area of operation;
- Reliable two way communication between service provider and flight crew is available or another adequate mean of communication with flight crew is assured (satellite telephone, mobile telephone, ACARS, transmission of messages through ATC...);
- System for communication record and operational log is in place by the service provider;
- Service provider staffing and facilities are adequate to accommodate operator's type of operation.

In accordance with the rule ORO.GEN.140(a) and ORO.GEN.205(b) of Part ORO of COMMISSION REGULATION (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, CCAA shall be given an access to any contracted organization carrying out any part of operator's activity, to determine continued compliance with the applicable requirements.

2. FLIGHT DISPATCH SYSTEM OPERATIONAL CONTROL.

Flight dispatch system is a term for the method of operational control where aircraft operators use licensed and employed Flight Dispatcher/Flight Operations Officers to directly control flight operations.

This system is described in details in this guidance material.

PREFLIGHT BRIEFING

1. Before dispatching any flight, a Flight Dispatcher/Flight Operations Officer must be thoroughly familiar with the reported weather conditions and the forecast weather conditions (including adverse weather) and the status of communications, navigation, and airport facilities. In flight dispatch systems where Flight Dispatcher/Flight Operations Officers/flight operations officers are used, it is their responsibility to provide the CMDR with a preflight briefing on each of these items.
2. The preflight briefing may be delivered verbally or in writing. In the latter case, communications facilities must be available for the Flight Dispatcher/Flight Operations Officer and the CMDR to communicate directly by voice if direct communication is required or desired.
3. The CMDR and the Flight Dispatcher/Flight Operations Officer must be thoroughly familiar with, and consider all aspects of, the situation. For example, inoperative navigation aids and shortened runways as well as weather conditions can affect the selection of alternate airports. For this

reason the briefing by the Flight Dispatcher/Flight Operations Officer is not optional for either the Flight Dispatcher/Flight Operations Officer or the CMDR under these rules.

FLIGHT-MONITORING

A Flight Dispatcher/Flight Operations Officer must monitor the progress of each flight under his/her control until the flight has landed, passed beyond the his/her area of control, or until the Flight Dispatcher/Flight Operations Officer is properly relieved by another Flight Dispatcher/Flight Operations Officer. Flight monitoring, as a minimum, must consist of the monitoring of flight time remaining, destination and alternate airport weather trends, en route winds and weather (including pilot reports), and the status of airport and navigational facilities.

Flight Dispatcher/Flight Operations Officer must report to the CMDR any additional information that could affect the safety of the flight. This information may be delivered by voice message or by other means, such as air-ground passive communication systems (ACARS), SATCOM, cellular phones, transmission of the messages via ATC, etc.

An operator shall keep operational log containing following information:

- Name and position of duty Flight Dispatcher/Flight Operations Officer;
- Start/end of duty (UTC time);
- Essence of operational events during the duty;
- Essence of communication events during the duty (time, date, aircraft call sign, his/her identification and the essence of the exchanged transmissions).

ICAO Annex 6, Chapter 4, paragraph 4.6.1(c) requires that Flight Dispatcher/Flight Operations Officer shall furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight. It is recommended that rapid and reliable two-way communications between each flight and the Flight Dispatcher/Flight Operations Officer be available at any point in the flight. However, other appropriate communication means like ACARS, SATCOM, cellular phones, transmission of the messages via ATC, etc. may be used for the purpose.

OPERATIONS MANUAL (OM)

Operators must ensure that the operator's operations manual (OM) contains policies and procedures for releasing flights and subsequent in-flight monitoring. Operators must ensure that the operator's OM includes the information that follows.

1. The operator's OM must contain flight crew reporting requirements and the actions that Flight Dispatcher/Flight Operations Officers should take if reports from the flight crew are not received.
2. Once initiated, a flight must continue to destination as planned and in accordance with the conditions of the operational flight plan. A CMDR may decide not to continue to destination when in his/her opinion it is unsafe to do so. In such cases, the CMDR must take action to obtain the

Flight Dispatcher/Flight Operations Officer's concurrence on a new course of action and then amend the operational flight plan.

3. ATC frequently delays, re-routes, or assigns altitudes to flights other than those planned by the operator. The ATC system requires this flexibility to re-route traffic flow around adverse weather and to function effectively. The operator's policies and procedures for operational control should accommodate these demands while maintaining the consideration of responsibility of the Flight Dispatcher/Flight Operations Officer and the CMDR. One acceptable mean operators may use to comply with the regulatory requirement is to publish notification requirements in the OM for flight crews to follow in these circumstances

FACILITIES AND STAFFING

Regulations require that each operator provide enough facilities and qualified operational personnel to ensure adequate operational control of each flight.

FACILITIES

It is understood that each operator shall provide enough dispatch centers for adequate control of the operations conducted.

1. Operators have wide latitude in meeting this requirement. With modern communications, many operators exercise worldwide operational control from a single center. Any number and placement of centers is acceptable, provided the operator can show that organizational and communications arrangements are effective.
2. Many operators have chosen to automate some dispatch duties and routines. A few operators have introduced a high degree of automation. Many functions which were previously performed manually by human beings are now handled automatically by machine. For example, flight routes are automatically generated and flight plans are filed by computer. While these systems may be labor saving, they introduce special problems and specific hazards. Operator must ensure that the adequate safeguards are designed into the system. For example, the operator must be able to ensure that a flight plan with a routing identical to the one filed with ATC is delivered to the CMDR.

STAFFING

Operators shall provide enough qualified Flight Dispatcher/Flight Operations Officers to ensure the adequate operational control of all flights as follows.

It is expected that each Flight Dispatcher/Flight Operations Officer be "familiar with all essential operating procedures for that segment of the operation over which he exercises dispatch jurisdiction." This requirement applies to all Flight Dispatcher/Flight Operations Officers the operator assigns to revenue flights (including the management personnel who occasionally work a position to relieve personnel), and to those Flight Dispatcher/Flight Operations Officers who trade assignments for personal reasons. Operators must establish a means of qualification to satisfy this rule. The rule also allows Flight Dispatcher/Flight Operations Officers to dispatch flights over segments on which they are not qualified after coordinating

with a qualified Flight Dispatcher/Flight Operations Officer. Operators who use this provision must show that the supervising Flight Dispatcher/Flight Operations Officer has adequate time to oversee the Flight Dispatcher/Flight Operations Officer unfamiliar with the area without undue distraction from other assigned duties.

Flight Dispatcher/Flight Operations Officers commonly dispatch and monitor flights simultaneously. Operator must ensure the provision of enough dispatch personnel to fully accomplish both tasks. Operator should ensure that the operator's flight dispatchers/flight operations officers are not neglecting flight monitoring duties due to the pressure of their duties for originating flights.

The time required for a Flight Dispatcher/Flight Operations Officer to prepare a flight or to monitor the progress of a flight varies according to the geographical area the Flight Dispatcher/Flight Operations Officer is working, the complexity of the operation, and the degree to which the process is automated. A Flight Dispatcher/Flight Operations Officer employed by a small operator may do all of these tasks manually without assistance and may take several hours to dispatch a single flight. On the other hand, a Flight Dispatcher/Flight Operations Officer for a major air carrier may be able to adequately dispatch a flight in a few minutes by using a computerized system.

With all operators, workloads tend to be cyclical with peaks and valleys. Operators should continually monitor Flight Dispatcher/Flight Operations Officer workloads at peak periods to ensure that the dispatchers are not overloaded. One acceptable means of controlling routine workloads is for operators to assign Flight Dispatcher/Flight Operations Officers to specific geographical areas and to regulate the number of flights a Flight Dispatcher/Flight Operations Officer is scheduled to work in each hour and in each shift.

The operator must have adequate contingency plans for dealing with foreseeable non-routine operations. For example, when a major storm system moves across an area and ATC central flow control begins rerouting traffic, a Flight Dispatcher/Flight Operations Officer's workload can increase to several times the routine level. One acceptable means of dealing with this problem is for the operator to add more Flight Dispatcher/Flight Operations Officers during periods of non-routine operations. The contingency plan may require the re-assignment of flight monitoring responsibilities to reduce the number of flights being handled by the affected Flight Dispatcher/Flight Operations Officer.

If automated systems are used an operator must have published procedures for maintaining operational control after an unexpected loss of an automated system. These procedures should be published in the operator's OM.

FLIGHT DISPATCHER/FLIGHT OPERATIONS OFFICER DUTY TIME LIMITATIONS

Operators must place the following limitations on Flight Dispatcher/Flight Operations Officer duty time, except in cases of circumstances or emergency conditions that are beyond the control of the operator:

1. Each operator conducting commercial air transport shall establish the daily duty period for a dispatcher so that it begins at a time that allows him or her to become thoroughly familiar with existing and anticipated weather conditions along the route before he or she dispatches any airplane.

He or she shall remain on duty until each airplane dispatched by him or her has completed its flight, or has gone beyond his or her jurisdiction or until he or she is relieved by another qualified dispatcher.

2. Except in cases where circumstances or emergency conditions beyond the control of the operator require otherwise Flight Dispatchers/Flight Operations Officers may be scheduled to work in accordance with the requirements of Labor Act (Official Gazette 149/09).

DISPOSITION OF FLIGHT RECORDS

The operator must ensure that Flight Dispatcher/Flight Operations Officer duty roster/records, Dispatch System Operational Log are kept on file together with documents listed in the rule ORO.MLR.115(b) of Part ORO of COMMISSION REGULATION (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council. The operator must retain these flight records for at least three months. The operator must ensure that the operator's storage methods and location provide reasonable access for inspections