

# Regulatory and Operational Hot Topics – Part 2

CBAA Convention  
August 11, 2017



# New F&DT Regulations for Part VII Operators



Presented by Merlin Preuss

# Can Nav Canada be Your Flight Follower?



Flight Following Basics

# Can Nav Canada be Your Flight Follower?

## Flight Following

Means the **monitoring of a flight's progress**, the **provision of any operational information** that might be requested by the pilot-in-command, and the **notification** of the flight training unit and search and rescue authorities **if the flight is overdue or missing**. (CAR 101.01(1))

# Can Nav Canada be Your Flight Follower?

## Responsible Person

Means an individual who has agreed with the person who has filed a **flight itinerary** to ensure that the following are notified in the manner prescribed in this Division, if the aircraft is overdue, namely,

- (a) an air traffic control unit, a flight service station or a community aerodrome radio station, or
- (b) a Rescue Co-ordination Centre.

(CAR 602.70)

# Can Nav Canada be Your Flight Follower?

The CARs do not give us a definition for a flight follower.

But they describe the duties and responsibilities of the flight follower.

# Can Nav Canada be Your Flight Follower?

Under CAR 604.27 a flight dispatcher and a flight follower shall, in respect of a flight conducted by a private operator,

- (a) perform flight following and flight watch;
- (b) provide any operational information requested by a flight crew member; and
- (c) notify search and rescue authorities in a timely manner if a flight is overdue or missing.

# Can Nav Canada be Your Flight Follower?

The CARs **do not require** private operators to have flight dispatchers or flight followers.

But, if using a **co-authority dispatch system** they are required, and then these conditions have to be met:

- Personnel training.
- The OM requires applicable procedures.

CAR 604.25(3)(b) & 604.146



# Can Nav Canada be Your Flight Follower?

Where there is no co-authority dispatch system, there is pilot self-dispatch and the pilots perform the flight watch function as per CAR 602 requirements.

# Can Nav Canada be Your Flight Follower?

Under the pilot self-dispatch system pilots are required to file:

A flight plan with an ATC unit, an FSS, **or** a CARS.

**OR**

A flight itinerary with a responsible person, **or** ATC, **or** FSS, **or** CARS.

(CAR 602.75(1) & (2))

# Can Nav Canada be Your Flight Follower?

Where a flight plan/itinerary has been filed with Nav Canada, Nav Canada “follows” the flight and will contact/notify the operator and/or emergency/rescue services when necessary.

# Can Nav Canada be Your Flight Follower?

**Can I go flying without having assigned a responsible person to do my “flight following”?**

Yes, as long as a flight plan/itinerary has been filed with an ATC unit, **OR** FSS, **OR** CARS.

# Can Nav Canada be Your Flight Follower?

## **Best practice for operators without a “flight follower”**

File a flight plan/itinerary with ATC, FSS, or CARS wherever possible.

Ensure ATC has a company contact.

Always ensure the company contact knows as a minimum what the ETA is and what to do if the plane does not arrive on time (i.e. emergency procedures).

# Can Nav Canada be Your Flight Follower?

**So, can I use Nav Canada to be my flight follower?**

**Yes, TC says Nav Canada can be your flight follower.**

# Can Nav Canada be Your Flight Follower?

## References:

CAR 602.75

CAR 604.25(3)(b)(ii)

CAR 604.27

CAR 604.146(2)

CAR 604.180(2)

# Can Nav Canada be Your Flight Follower?



Questions?



# When does a Private Operator need an MEL?

Answers to some (not so) basic MEL questions.

# When does a Private Operator need an MEL?

CAR 605.06 allows for operation of an aircraft with unserviceable equipment under certain conditions.

CAR 605.09 specifies the conditions for operations with unserviceable equipment **with** an MEL.

CAR 605.10 specifies the conditions for operations with unserviceable equipment **without** an MEL.

# When does a Private Operator need an MEL?

**MEL** or **minimum equipment list** means a document approved by the Minister pursuant to subsection 605.07(3) that authorizes an operator to operate an aircraft with aircraft equipment that is inoperative under the conditions specified therein, and may specify certain equipment that must be operative. (CAR 101.1(1))

# When does a Private Operator need an MEL?

Not required by the CARs for private operators.

Subpart 604 regulations make reference to MEL:

CAR 604.56(b)(iii)(C)

CAR 604.179(t)

604.180(1)(g)

604.197(1)(h)

# When does a Private Operator need an MEL?

## **International GA**

“ . . . the operator shall include  
in the operations manual a minimum equipment  
list (MEL) approved by the State of Registry . . . “  
(ICAO Annex 6 Part 2, 3.6.1)

# When does a Private Operator need an MEL?

The EASA rules for Non-Commercial Complex Aircraft (NCC) invoke Article 9 of EU Regulation No 216/2008 which means that they all apply to Canadian Private Operations in EU airspace. In most cases, including MEL requirements, EASA requires compliance with ICAO standards.

Recently EASA SAFA inspectors have been enforcing the MEL requirements when inspecting private aircraft.

# When does a Private Operator need an MEL?

The US does not require an MEL for non-commercial operators (includes private operators).

# When does a Private Operator need an MEL?

## **References:**

CAR 605 Division I  
ICAO Annex 6 Part 2



# When does a Private Operator need an MEL?



Questions?

# Medical Requirements Outside Canada

Answers to some (not so) basic medical validity questions.

# Medical Requirements Outside Canada

Canadian medicals conform to the standards set forth in Annex 1 to the ICAO convention on International Aviation, signed in Chicago on December 7, 1944.

Canadian differences to ICAO standards are published in the AIP Canada (ICAO) Gen 1.7.

# Medical Requirements Outside Canada

## **Canadian Differences to ICAO:**

- Canada calculates the period of validity of a Medical Assessment from the first day of the month following the date the medical examination was performed.
- Canada may extend the period of validity period of a Medical Assessment by up to 60 days.
- Canada does not restrict the privileges of pilots who have attained their 60th birthday or curtail the privileges of pilots who have attained their 65<sup>th</sup> birthday.

# Medical Requirements Outside Canada

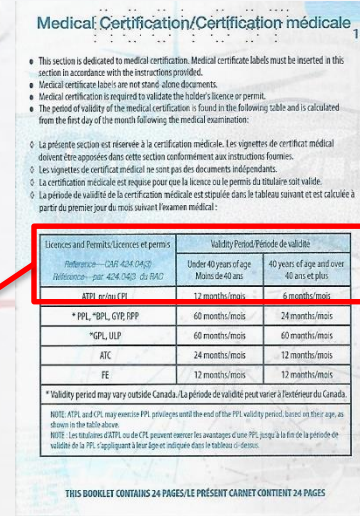
In accordance with section 2.1.10.1 of ICAO Annex 1, **no pilot age 60 or over shall act as PIC** of an aircraft engaged in international air transport operations for remuneration or hire **(unless authorized by the country** in which the flight is conducted).

# Medical Requirements Outside Canada

	<b>Under 40</b>	<b>Over 40 &amp; &lt;60</b>	<b>ICAO</b>
PPL	60	24	Same
CPL, M-CPL, ATPL, under 60	12	12	Same
CPL, M-CPL, ATPL* in SPIFR with pax.	12	6	Same*
CPL, M-CPL, ATPL* holder 60 years and older, 6 months. (IACO restricts the privileges to SIC.)			Same*

# Medical Requirements Outside Canada

## ADB Correction to Conform to ICAO And CARs.



Licences and Permits/Licences et permis	Validity Period/Période de validité	
Reference—CAR 424.04(3) Référence—par. 424.04(3) du RAC	Under 40 years of age Moins de 40 ans	40 years of age and over 40 ans et plus
ATPL or/ou CPL	12 months/mois	<del>6</del> <sup>12</sup> months/mois

# Medical Requirements Outside Canada

**Do I need to worry about my medical expiry date (day of examination vs. 1<sup>st</sup> day of following month) when flying to another country?**

- Depends on what the foreign country requires.
- ICAO SARPs calculate the validity to include the date of the valid-to-month that is the same as the date of the examination.



# Medical Requirements Outside Canada

## What about flying in the US?

- For commercial operations the US requires compliance with ICAO (14 CFR Part 129.1).
- Part 91 is silent on the question of medical validity periods, so we assume they accept Canadian medicals.

# Medical Requirements Outside Canada

**I'm over 60 do I need to worry about flying in Europe as PIC?**

- Depends on what the foreign country requires.
- ICAO SARPs reduce the medical validity to 6 months for pilots engaged in CAT. They also limit pilots over 60 but under 65 to SIC duties only.

# Medical Requirements Outside Canada

## References:

- ICAO Convention, Chicago, December 7, 1944
- AIP Canada (ICAO)
- Aeronautical Information Manual (TP 14371)

# Medical Requirements Outside Canada

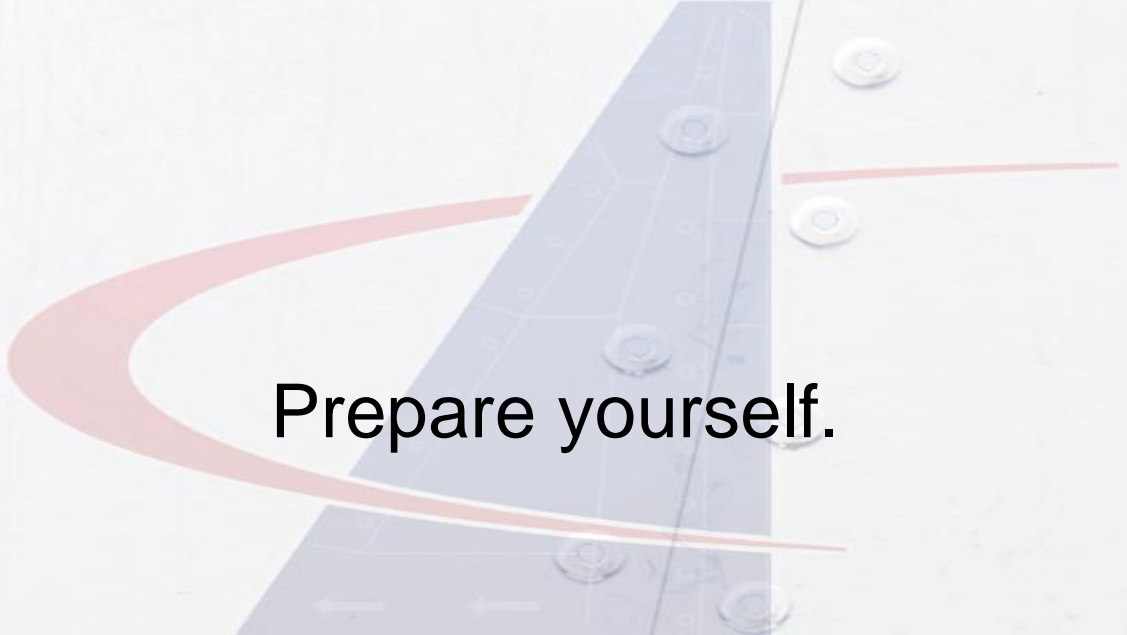


Questions?

# Effective Dealings with Transport Canada

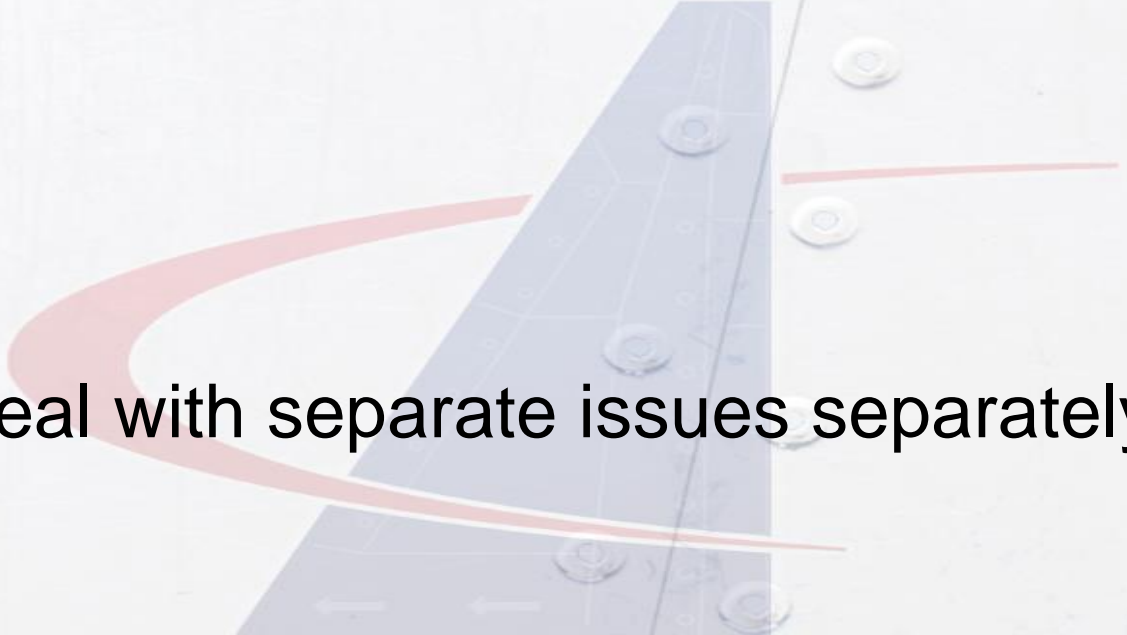
How To Give TC What They Want  
AND  
Get What You Need

# Effective Dealings with Transport Canada



Prepare yourself.

# Effective Dealings with Transport Canada




Deal with separate issues separately.

# Effective Dealings with Transport Canada

Keep notes and collect data systematically.



# Effective Dealings with Transport Canada




Work your way through the system.

# Effective Dealings with Transport Canada



Remain objective and never attack the person.

# Effective Dealings with Transport Canada



Always look for a win-win solution.

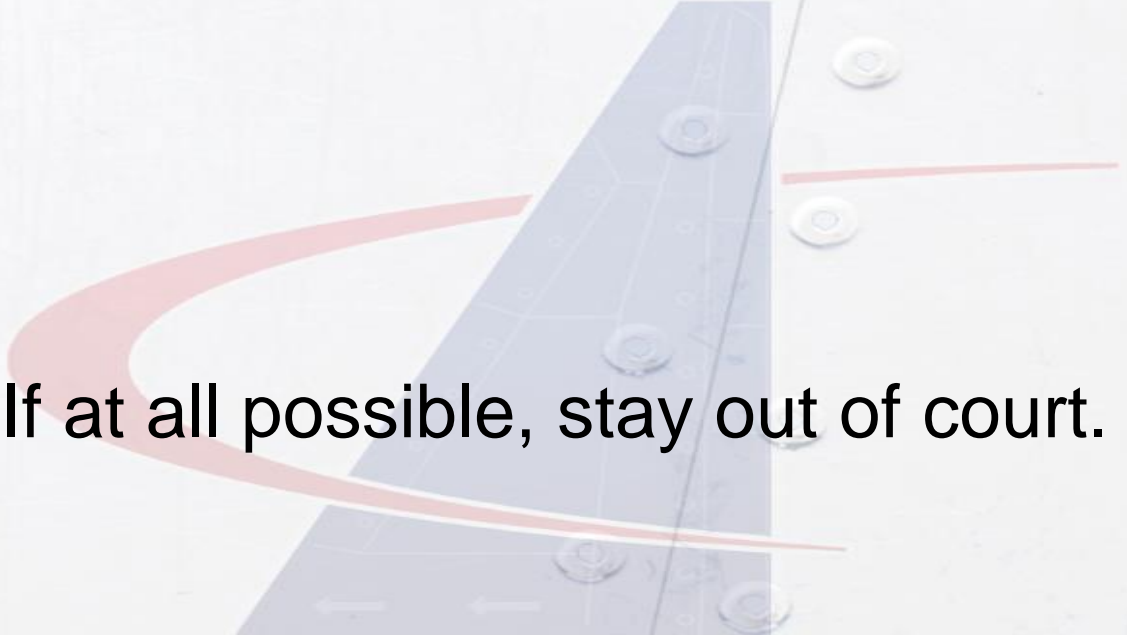
# Effective Dealings with Transport Canada

Understand what your responsibility is:  
The government makes the rules.  
Industry works within the rules.

# Effective Dealings with Transport Canada

Make the best decision you can and be prepared to live with the consequences.

# Effective Dealings with Transport Canada

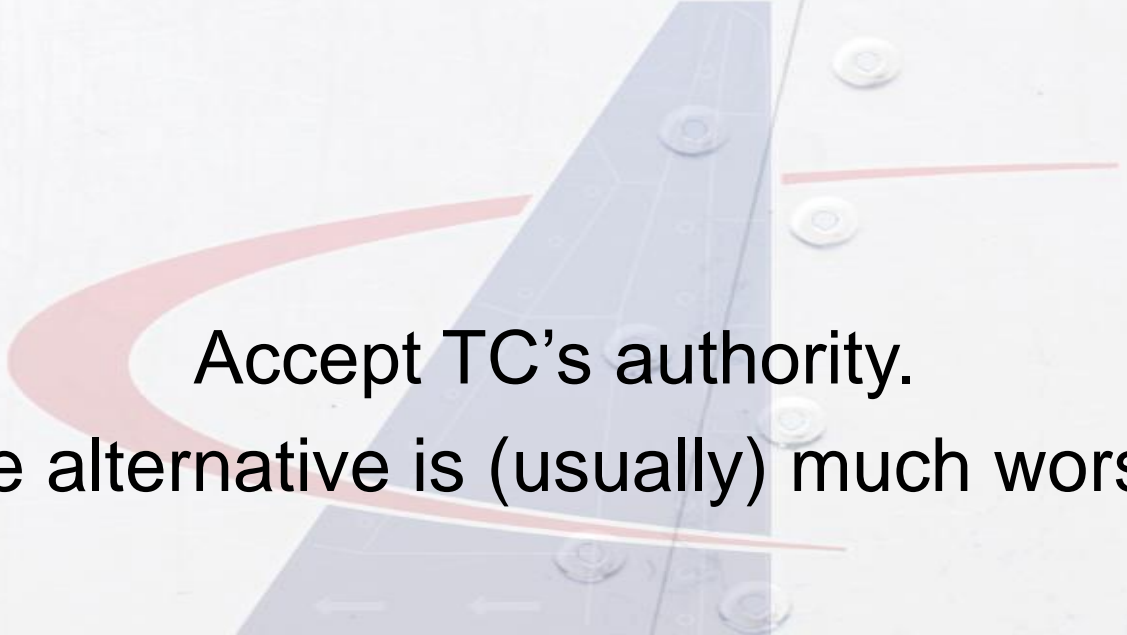


If at all possible, stay out of court.

# Effective Dealings with Transport Canada

Work together with other likeminded people in the industry who share your views.

# Effective Dealings with Transport Canada



Accept TC's authority.  
The alternative is (usually) much worse.



# Effective Dealings with Transport Canada

## **Credits:**

Patrick Lencioni

Henry Cloud

John Townsend

John C. Maxwell

Sun Tzu

Solomon

# Effective Dealings with Transport Canada



Questions?

# 2017 Aviation Compensation Survey

Presented by Gail Evans with the Wynford Group

Thank You For Your Attention

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