



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR ENERGY AND TRANSPORT  
DIRECTORATE F - Air Transport  
**Air safety**

Brussels, - 8 JUIN 2009  
TREN F3/GK/spp D(2009) 55550

**Subject:** Definition of duty and flight duty period in EU-OPS

**Reference:** Your letter dated 18 May 2009

Dear Dr. Kasprzyk,

I thank you for your kind letter, which addresses the interesting matter of the nature of flight commitments included in the definition and reporting mechanism as stipulated by EU-OPS.

OPS 1.1095, providing the definition for "duty", limits this duty to business performed under the umbrella of an AOC. Hereby, any non-AOC related flying action does not constitute an action considered "duty". This, in turn, excludes same action from its possible enclosure into the "flight duty period".

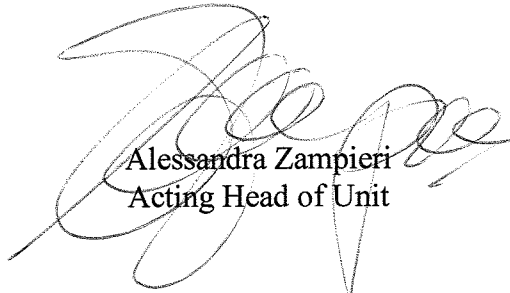
I can confirm your understanding that activities like flight instruction (both commercial and non-commercial) or any sort of private flying are not covered by the provisions in question.

This leads to the conclusion, that potential fatigue creating safety loopholes can not be ruled out to emerge from this, in combination with a no more than arbitrary reporting mechanism installed via OPS 1.1135.

The ongoing rulemaking effort by EASA to establish new OPS provisions is addressing these issues, and I invite you to support this important development by sending your comments (refer to NPA 2009-02 at [www.easa.int](http://www.easa.int)).

Your commitment to contribute to the future of European aviation safety is highly appreciated,

Yours sincerely



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