

# BOP.BAS.030 Responsibilities of the pilot-in-command

Regulation (EU) 2018/395

1. The pilot-in-command shall:
  1. be responsible for the safety of the balloon and of any person or property carried therein during balloon operations;
  2. be responsible for the initiation, continuation or termination of a flight in the interest of safety;
  3. ensure that all applicable operational procedures and checklists are complied with;
  4. only commence a flight if he or she is satisfied that all operational limitations are complied with, as follows:
    1. the balloon is airworthy;
    2. the balloon is duly registered;
    3. instruments and equipment required for the execution of the flight are carried on board the balloon and are operative;
    4. the mass of the balloon is such that the flight can be conducted within the limits defined by the AFM;
    5. all equipment and baggage are properly loaded and secured; and
    6. the operating limitations of the balloon as specified in the AFM will not be exceeded at any time during the flight;
  5. ensure that the pre-flight inspection has been carried out as required by Annex I to [Commission Regulation \(EU\) No 1321/2014](#);
  6. be responsible for the pre-flight briefing of persons assisting in the inflation and deflation of the envelope;
  7. ensure that persons assisting in the inflation and deflation of the envelope wear appropriate protective clothing;
  8. be satisfied that relevant emergency equipment remains easily accessible for immediate use;
  9. ensure that no person is smoking on board or within the direct vicinity of the balloon;
  10. not allow a person to be carried in the balloon who appears to be under the influence of psychoactive substances to the extent that the safety of the balloon or of any person or property carried therein is likely to be endangered;
  11. remain during flight in control of the balloon at all times except if another pilot is taking the controls;
  12. take any action in an emergency situation that requires immediate decision and action which he or she considers necessary under the circumstances. In such cases he or she may deviate from rules, operational procedures and methods to the extent necessary in the interest of safety;
  13. not continue a flight beyond the nearest weather-permissible operating site when his or her capacity to perform his or her duties is significantly reduced because of sickness, fatigue, lack of oxygen or any other cause;
  14. record utilisation data and all known or suspected defects in the balloon at the termination of the flight, or series of flights, in the balloon logbook;
  15. notify the safety investigation authority of the State in the territory of which the occurrence took place and the emergency services of that State without delay by the quickest available means of any serious incident or accident involving the balloon;

16. submit a report of an act of unlawful interference without delay to the competent authority and inform the local authority designated by the State in the territory of which the unlawful interference took place; and
  17. report to the appropriate air traffic services (ATS) unit, without delay, any hazardous weather or flight conditions encountered that are likely to affect the safety of other aircraft.
2. The pilot-in-command shall not perform duties on a balloon in one of the following situations:
    1. when he or she is incapacitated from performing his or her duties by any cause, including injury, sickness, medication, fatigue or the effects of any psychoactive substance, or feels otherwise unfit;
    2. if applicable medical requirements are not fulfilled.
  3. Whenever crew members are involved in the operation of the balloon, the pilot-in-command shall:
    1. ensure that during critical phases of flight or whenever deemed necessary in the interest of safety, all crew members are at their assigned stations and do not perform any activities other than those required for the safe operation of the balloon;
    2. not commence a flight if any crew member is incapacitated from performing his or her duties by any cause, including injury, sickness, medication, fatigue or the effects of any psychoactive substance, or feels otherwise unfit;
    3. not continue a flight beyond the nearest weather-permissible operating site when any crew member's capacity to perform duties is significantly reduced because of sickness, fatigue or lack of oxygen or any other cause; and
    4. ensure that all crew members can communicate with each other in a common language.

## **GM1 BOP.BAS.030 Responsibilities of the pilot-in-command**

*ED Decision 2018/004/R*

### **General**

In accordance with the essential requirements for air operations, which are laid down in Annex IV to Regulation (EC) No 216/20081, the pilot-in-command is responsible for the operation and safety of the balloon and for the safety of all passengers on board. This includes the following:

1. the safety of all passengers on board, as soon as he or she arrives on board until he or she leaves the balloon at the end of the flight; and
2. the operation and safety of the balloon from the moment the balloon is unloaded from the retrieve vehicle or trailer to the moment the balloon is reloaded, unless the preparation of the flight is delegated to a crew member.

## **AMC1 BOP.BAS.030(a)(3) Responsibilities of the pilot-in-command**

*ED Decision 2018/004/R*

### **Checklists**

1. The pilot-in-command should use the latest checklists provided by the manufacturer or the

operator.

2. If checks conducted before take-off are suspended at any point, the pilot-in-command should restart them from a safe point prior to the interruption.

## **GM1 BOP.BAS.030(a)(7) Responsibilities of the pilot-in-command**

*ED Decision 2018/004/R*

1. long sleeves and trousers preferably made of natural fibres;
2. stout footwear; and
3. gloves.

## **GM1 BOP.BAS.030(a)(14) Responsibilities of the pilot-in-command**

*ED Decision 2018/004/R*

### **RECORDING UTILISATION DATA**

Where a balloon conducts a series of flights of short duration and is operated by the same pilot-in-command, the utilisation data for the series of flights may be recorded in the balloon logbook as a single entry.

## **AMC1 BOP.BAS.030(a)(17) Responsibilities of the pilot-in-command**

*ED Decision 2018/004/R*

1. These reports should include any detail which may be pertinent to the safety of other aircraft.
2. When unexpected meteorological conditions affecting other aircraft are encountered that, in the opinion of the pilot-in-command, may affect the safety of other aircraft operations, he or she should advise the appropriate air traffic services (ATS) unit as soon as practicable.

## **AMC1 BOP.BAS.030(b)(1) & AMC1 BOP.BAS.040(b)**

*ED Decision 2018/004/R*

### **ALCOHOL CONSUMPTION**

The operator should issue instructions concerning the consumption of alcohol by the pilot-in-command and the crew members. The instructions should not be less restrictive than the following:

1. no alcohol should be consumed less than 8 hours prior to an operation;

2. the blood alcohol level should not exceed the lower of the national requirements or 0.2 grams of alcohol in 1 litre of blood at the start of an operation; and
3. no alcohol should be consumed during the operation.

## **GM1 BOP.BAS.030(b)(1);(2) & GM1 BOP.BAS.040(b) Responsibilities of the pilot-in-command & responsibilities of crew members**

*ED Decision 2018/004/R*

### **PART-MED**

Information on the effects of medication, psychoactive substances and other treatments can be found in Annex IV (Part-MED) to [Regulation \(EU\) No 1178/2011](#).

[BOP.BAS.035 Authority of the pilot-in-command](#)

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