

BOP.BAS.040 Responsibilities of crew members

Regulation (EU) 2018/395

1. Any crew member shall be responsible for the proper execution of his or her duties in respect of the operation of the balloon.
2. Crew members shall not perform duties on a balloon when incapacitated by any cause, including injury, sickness, medication, fatigue or the effects of any psychoactive substance, or if he or she feels otherwise unfit.
3. Crew members shall report to the pilot-in-command both of the following:
 1. any fault, failure, malfunction or defect, which he or she believes may affect the airworthiness or safe operation of the balloon, including emergency systems;
 2. any incident.
4. Any flight crew member who undertakes duties for more than one operator shall:
 1. maintain his or her individual records regarding flight times and rest periods, if applicable; \\and
 2. provide each operator with the data needed to schedule activities in accordance with the applicable flight and duty time limitations and rest requirements.

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ED Decision 2018/004/R

DESIGNATION OF PERSONS AS CREW MEMBERS

1. The pilot-in-command or the operator may designate any person as a crew member provided that:
 1. the role, according to the reasonable expectation of the pilot-in-command or the operator, will enhance the safety of the flight or achieve an operational objective of the flight;
 2. the person, according to the reasonable expectation of the pilot-in-command or the operator, is capable of fulfilling the role;
 3. the person has been briefed on the role as a crew member and informed that he or she is crew, not a passenger; and
 4. the person agrees to the role as crew member.
2. Crew members are not considered to be passengers.
3. Crew members may be required, by specific provisions of this Regulation and other Implementing Rules, to hold licences, ratings or other personnel certificates to fulfil certain roles such as instructor or examiner, in certain circumstances.

[BOP.BAS.045 Compliance with laws, regulations and procedures](#)

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