Article 71(1) of Regulation (EU) 2018/1139

Exemption notification form

*This template reflects the information needed to notify a flexibility provision which duration or cumulative duration (when it is a repetitive measure) is up to 8 months.*

*Providing the information in English will assist in processing the Agency recommendation in a timely manner, increase transparency and facilitate further enquiry.*

|  |  |
| --- | --- |
| EASA reference | Will be given by FlexTool once registered |

*Fields marked with \* are compulsory.*

|  |  |
| --- | --- |
| **Notifying State** | |
| \* Member State or Associated State [[1]](#endnote-1) |  |
| \* Reference of the notification from the State[[2]](#endnote-2) | XXX |
| \* Contact Details of the competent authority (CA) [[3]](#endnote-3) |  |
| \* Date of the notification [[4]](#endnote-4) | Given by FlexTool |
| **Exemption** | |
| \* Title [[5]](#endnote-5) | **Covid19 – outbreak: Extension of periods related to continuing airworthiness** |
| \* Domain [[6]](#endnote-6) | CAW |
| \* Repetitive exemption? [[7]](#endnote-7) | A) NO  (duration should be up to 8 months):  Valid from \*2020/03/XX to \*2020/11/30  B) YES  a) Valid from \*………. to \*……….  b) List of previous exemption(s):   1. State reference: 2. EASA reference: 3. Valid from \*………. to \*………. |
| \* Exempted requirements [[8]](#endnote-8) | **Regulation (EU) 1321/2014 (CAW regulation)**:  Annex II (Part-145): 145.A.35(c) and 145.A.35 (d).  Annex III (Part-66): 66.A.20(b)2); points 1(a)(iv), 5(h)(2) and point 6 of Appendix III.  Annex IV (Part-147): 147.A.105(h). |
| \* Summary of the exemption [[9]](#endnote-9) | Regulation (EU) 1321/2014 lays down specific regulatory periods and intervals within which the maintenance certifying staff and support staff, applicants and holders of Part-66 licences as well as Part-147 instructors and examiners must acquire practical experience, complete training, including on-the-job training, or undergo examination, as applicable. Due to the urgent unforeseeable circumstances caused by the COVID-19 disease outbreak and the resulting restrictions on the conduct of aviation activities it may not be possible for regulated persons, and despite their best efforts, to respect those periods and intervals. This in turn would affect the validity of their licences and privileges.  In view of the above, [MS] has decided that, subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field “Summary of mitigations”) all of the following shall apply:   1. With regards to Annex II (Part-145) of the CAW regulation, the approved maintenance organisation may permit their certifying staff and support staff, until 30 November 2020: 2. to comply with point 145.A.35(c) by being involved in at least 6 months of actual relevant aircraft or component maintenance experience in any consecutive 30 months period instead of 2-year period as normally required by point 145.A.35(c); 3. to comply with point 145.A.35(d) by receiving sufficient continuation training in each 30 months period instead of in each 2-year period as normally required by point 145.A.35(d); 4. With regards to Annex III (Part-66) of the CAW Regulation: 5. A holder an aircraft maintenance licence is permitted, until 30 November 2020, to comply with Point 66.A.20(b)2 by having 6 months of maintenance experience, in accordance with the privileges granted by the aircraft maintenance licence, in the preceding 30 months period instead of in the preceding 2-year period as normally required by Point 66.A.20(b)2; 6. A candidate for a Part-66 type rating is permitted, until 30 November 2020: 7. to comply with point 1(a)(iv) of Appendix III to Part-66 by starting and completing the theoretical training and examination within 3 years and 6 months preceding the application for a type rating endorsement on the aircraft maintenance licence instead of within 3 years as normally required by point 1(a)(iv) of Appendix III; 8. to comply with point 5(h)(2) of Appendix III to Part-66 by passing the type examination and completing the required practical experience within the 3 years and 6 months preceding the application for a type rating endorsement on the aircraft maintenance licence instead of within 3 years as normally required by point 5(h)(2) of Appendix III; 9. to comply with point 6 of Appendix III to Part-66 by starting and completing the on the job training within the 3 years and 6 months preceding the application for a type rating endorsement on the aircraft maintenance licence instead of within 3 years as normally required by point 6 of Appendix III; 10. With regards to Annex IV (Part-147) of the CAW Regulation the instructors and examiners are permitted, until 30 November 2020, to comply with point 147.A.105 (h) by undergoing updating training relevant to current technology, practical skills, human factors and the latest training techniques appropriate to the knowledge being trained or examined, in each 30 months period instead of in each 24 month period as normally required by point 147.A.105 (h). |
| \* Reasons for granting it [[10]](#endnote-10)  (as applicable) | Urgent Unforeseeable circumstances  The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States. Local restrictions may prevent approved organisations and qualified staff to demonstrate fulfilment of the requirements for continuation of their certificates or privileges within the time limits provided by the CAW Regulation.  Urgent operational needs  As a result of the of the extreme operational and resource constraints caused by the COVID-19 outbreak, this exemption needs to be applied to approved organisations and qualified persons when the said circumstances are declared by either the licence holder, applicant for a new licence or the approved organisation to ensure a certain level of business continuity for activities that need to comply with the CAW regulation. |
| \* Summary of Mitigating measures, if any [[11]](#endnote-11) | **A) Safety:**  In order to benefit from the Exemption the approved organisation shall not be pending from suspensions, revocations or limitations, or has not been subject to suspension by the competent authority within the last 24 months.  **B) Environment:**  The circumstances and needs addressed by the exemption do not have an impact on environment.  **C) Market distortion:**  Due to the exceptional circumstances affecting all EU Member States, and given its limited duration, the exemption does not have a distorting effect on the market conditions.  **E) Essential requirements:**  Not applicable. |
| \* Type of operation [[12]](#endnote-12) | N/A  If applicable: |
| In case of non-approved change/repair [[13]](#endnote-13) | EASA project number: ……Not applicable………………….  If no project number, indicate if change/repair, is:   * Minor * Major |
| **Concerned entity(ies)** | |
| \* Organisation, operator, aerodrome or person whom the exemption is granted to [[14]](#endnote-14) | Organisations approved in accordance with Annex II (Part-145) and Annex IV (Part-147) and maintenance certifying staff in accordance with Annex III (Part-66) of Regulation (EC) 1321/2014. |
| Product |  |
| Serial no. [[15]](#endnote-15) |  |
| Registration [[16]](#endnote-16) |  |
| Attached documentation [[17]](#endnote-17) |  |

For instructions, please see details next page.

Instructions

1. State where the notification of exemption comes from. [↑](#endnote-ref-1)
2. Identification code given by the State to that measure. Every notification should relate to one exemption only. [↑](#endnote-ref-2)
3. Provide contact details (e-mail and phone) of the CA official in charge of this exemption in the case where additional information would be required by the Agency. [↑](#endnote-ref-3)
4. Date of submission of exemption’s notification. [↑](#endnote-ref-4)
5. Briefly describe the issue the exemption addresses. [↑](#endnote-ref-5)
6. Only one domain per notification:

   IAW – Initial Airworthiness

   CAW – Continuing Airworthiness – Maintenance

   OPS – Air Operations

   ACW – Aircrew

   MED – Medical

   ATM – Air traffic Management – Air Navigation Systems

   ADR – Aerodromes

   If the flexibility measure is related to several domains, encode only the main one but mention the other(s) in the field “Summary of the exemption”. [↑](#endnote-ref-6)
7. Please encode dates with the format YYYY-MM-DD. [↑](#endnote-ref-7)
8. Refer to Implementing Act or Delegated Act, specifying the point, paragraph, alinea, etc… [↑](#endnote-ref-8)
9. The description of the exemption should allow the Agency to provide a recommendation and demonstrate compliance with essential requirements.

   *Note: In the case where the change/repair is handled by an approved Design Organisation, brief description of the change/repair shall allow the experts to evaluate the technical status of the change/repair and to assess if the exemption complies with the general safety objectives of the Basic Regulation*. [↑](#endnote-ref-9)
10. Please describe the unforeseeable circumstance or the urgent operational need or both. [↑](#endnote-ref-10)
11. Please indicate the mitigation measures taken, if any, for ensuring:

    • Safety, environmental protection;

    • Market distortion;

    • Essential requirements. [↑](#endnote-ref-11)
12. If the information is relevant to the exemption, indicate the category of operations (e.g. Commercial Air Transport, private). [↑](#endnote-ref-12)
13. Please indicate classification (Minor / Major) of the change/repair. [↑](#endnote-ref-13)
14. Name of the organisation, operator or person whom the exemption is granted to. In case of aerodrome it must then also be entered the ICAO location indicator. [↑](#endnote-ref-14)
15. Refer to the serial number of the aircraft concerned by the exemption. [↑](#endnote-ref-15)
16. Refer to the registration of the aircraft concerned by the exemption. [↑](#endnote-ref-16)
17. Please list all attached documents, e.g.:

    Notification granted by the CA (compulsory)

    Rough translation into English from other relevant documents

    Etc… [↑](#endnote-ref-17)