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) | XXX |
| \* 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: Postponement of applicability date of latest amendment to Regulation (EU) 1321/2014***If applicable: replaces notification EASA Ref: 711/20/xxxx* |
| \* Domain [[6]](#endnote-6) | CAW – Continuing AirworthinessRelated regulation: Regulation (EU) No 1321/2014Sub-part: Part-ML  |
| \* Repetitive exemption? [[7]](#endnote-7) | A) NO [x] (duration should be up to 8 months):Valid from \*2020/04/XX to \*2020/09/24B) 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) | Articles 3, 4, 5 and 6 of Regulation (EU) No 1321/2014, as amended by Regulation (EU) No 2019/1383 and Regulation (EU) 2020/270 (hereinafter “the Continuing Airworthiness Regulation”), as applicable from 24 March 2020 . |
| \* Summary of the exemption [[9]](#endnote-9) | Regulations (EU) 2019/1383 and (EU) 2020/270 amending the Continuing Airworthiness Regulation introduced proportional rules for airworthiness of general aviation, management systems in continuing airworthiness management organisations and clearer continuing airworthiness records requirements. However the COVID-19 outbreak has resulted in drastic restrictions which may prevent regulated persons from effectively implementing these new requirements. Accordingly this exemption allows to temporarily continue managing the continuing airworthiness of light aircraft in compliance with the former Part-M requirements (as applicable before 24 March 2020), rather than with the new Part-ML (Annex Vb) as introduced by Regulation (EU) 2019/1383. In addition this exemption permits the continuing airworthiness management organisations to conduct their activities in accordance with the rules which were applicable before the 24 March 2020 rather than with the requirements of the new Annex Vc (Part-CAMO) and Annex Vd (Part-CAO) of the amended Regulation (EU) No 1321/2014.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. By way of derogation from Articles 3, 4, 5 and 6 of the Continuing Airworthiness Regulation, as applicable from 24 March 2020**,** the persons, including certifying staff, and organisations involved in the continuing airworthiness of aircraft and components, including the maintenance training organisations, are permitted to continue to show compliance and to manage the continuing airworthiness of aircraft for which they are responsible in accordance with the requirements of Regulation (EU) No 1321/2014 and its technical Annexes as they were on **23 March 2020**;
2. The continuing airworthiness management organisation to which this exemption applies is also permitted to approve maintenance programme of aircraft falling within the scope of Article 3(2) of Regulation (EU) No 1321/2014, as applicable from 24 March 2020, provided that:
	* 1. the maintenance programme of that aircraft is not required to be approved by the competent authority of the Member State of registry of the aircraft; and
		2. that aircraft is included in the scope of work of that continuing airworthiness management organisation;

In order to approve that aircraft maintenance programme, the continuing airworthiness management organisation concerned shall ensure that the aircraft maintenance programme complies with points M.A.302(d) and (e) of Annex I to Regulation (EU) No 1321/2014, as applicable on 23 March 2020, or alternatively, in case of ELA1 aircraft not involved in commercial operations, with points M.A.302(h)(1), (h)(2) and (h)(3) of that Annex.1. The derogation provided for in point (a) is granted until 24 **September 2020**.
 |
| \* Reasons for granting it [[10]](#endnote-10)(as applicable) | [x]  Urgent unforeseeable circumstancesThe COVID-19 outbreak has resulted in drastic restrictions, which may prevent the proper implementation of the new and revised Annexes to Regulation (EU) No 1321/2014 amended by Regulations (EU) 2019/1383 and (EU) 2020/270, and applicable as of 24 March 2020. [x]  Urgent operational needsAs a result of the of the extreme operational and resource constraints caused by the COVID-19 outbreak, it is needed to apply this exemption to ensure business continuity, when the said circumstances are notified to the Competent Authority by the person or organisation involved in the continuing airworthiness of aircraft and components. |
| \* Summary of Mitigating measures, if any [[11]](#endnote-11)  | **A) Safety:**1. The persons or organisations involved in the continuing airworthiness of aircraft and components shall apply, and show compliance with, the requirements of Regulation (EU) No 1321/2014 as applicable on 23 March 2020.
2. At the end of the duration of this exemption, that is by 24 September2020, these persons and organisations must ensure compliance with Regulation (EU) No 1321/2014, as amended by Regulations (EU) 2019/1383 and (EU) 2020/270.

**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) | [x]  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 Subpart F and Subpart G of Annex I (Part-M), Annex II (Part-145), Annex IV (Part-147) to Regulation (EU) No 1321/2014.
* Aircraft operators.
* Aircraft owners, aircraft maintenance licence holders and applicants, certifying staff, airworthiness review staff.
 |
| 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)