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: Deferral of applicability of requirements on PBN training.** |
| \* Domain [[6]](#endnote-6) | Aircrew  *FlexTool: ACW / Regulation (EU) No 1178/2011 / FCL* |
| \* Repetitive exemption? [[7]](#endnote-7) | A) NO  (duration should be up to 8 months):  Valid from \*2020/08/26 to \*2021/04/25  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) | Article 4a(5) of Regulation (EU) No 1178/2011 |
| \* Summary of the exemption [[9]](#endnote-9) | In accordance with Article 4a(5) of Regulation (EU) No 1178/2011, pilots holding instrument ratings (IRs) must obtain performance-based navigation (PBN) privileges for every IR by **25 August 2020** at the latest.  In view of the difficulties experienced by pilots in fullfiling that requirement due to the COVID-19 outbreak, [MS] will defer from the requirements of Regulation (EU) No 1178/2011 as follows:  By way of derogation from Article 4a (5) of Regulation (EU) No 1178/2011, pilots holding an instrument rating (IR) without Performance Based Navigation (PBN) privileges may, until **25 April 2021**:    (a) only fly on routes and approaches that do not require PBN privileges; and  (b) revalidate their IR without PBN items.  After **25 April 2021**, PBN privileges will be required for every IR in accordance with Article 4a (5) of Regulation (EU) No 1178/2011. |
| \* Reasons for granting it [[10]](#endnote-10)  (as applicable) | Urgent unforeseeable circumstances  The COVID-19 outbreak has necessitated the closure of all flight training activities so that training organisations are unable to provide PBN training in accordance with Article 4a of Regulation (EU) No 1178/2011.  Urgent operational needs  With no exemption in place, the stop of any training activity in the context of the COVID-19 outbreak would result in pilots not being able to comply with the PBN requirement in Article 4a of Regulation (EU) No 1178/2011 and, consequently, not being able to continue with their flying activity even if this was possible on non-PBN routes and approaches. Postponing the deadline for completion of PBN training grants the pilots sufficient time for completion of this training after the end of the COVID-19 lockdown measures that are affecting flight training. |
| \* Summary of Mitigating measures, if any [[11]](#endnote-11) | Since current comprehensive licensing requirements, including limitations to IR pilots without PBN privileges, fully remain in place during the exemption period, no additional mitigation measures are deemed necessary. |
| \* Type of operation [[12]](#endnote-12) | N/A  If applicable:  NCO |
| 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) | Holders of instrument ratings as well as training organisations for instrument rating training. |
| 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)