Article 14.4 of Regulation (EC) 216/2008

 (Text with EEA relevance)

Exemption Notification form

*This template is recommended to be used for notification of exemptions against Implementing Rules to Regulation (EC) No 216/2008.*

*Once completed by the NAA, this template should be sent to EASA (*exemptions@easa.europa.eu*) as soon as possible in parallel / advance of the formal notification via the Permanent Representation, to EASA, Member States and the European Commission.*

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| **Notifying State** |
| Member or Associated State [[1]](#endnote-1) | xx |
| Reference of the notification from the State[[2]](#endnote-2) | xxxxxxc |
| Date of the notification[[3]](#endnote-3) | DD/MM/YYYY |
| **Exemption** |
| Title | **Covid19 – outbreak: Postponement of applicability date of latest amendment to Regulation (EU) 1321/2014***If applicable: replaces notification EASA Ref: 2020/xxxx* |
| Domain | CAW – Continuing AirworthinessRelated regulation: Regulation (EU) No 1321/2014Sub-part: Part-ML  |
| Exempted requirements[[4]](#endnote-4)(select as applicable) | 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 . |
| Reason for notification[[5]](#endnote-5) | Repetitive exemption or extension □ Exemption granted for more than 2 months X  |
| Organisation, operator, aerodrome or person whom the exemption is granted to[[6]](#endnote-6) | • 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. |
| Aircrafttype/model/variant[[7]](#endnote-7) | N/A |
| Serial no.[[8]](#endnote-8)  |  |
| Registration[[9]](#endnote-9) |  |
| Type of operation[[10]](#endnote-10) | N/A |
| ICAO location indicator (when applicable) | N/A |
| Exemption applicability date[[11]](#endnote-11)  | Issuance date: \*2020/04/XX  | Expiry date: 2020/09/24 |
| Reference to previous similar exemptions, if any | date of the earlier exemption granted:N/AIf applicable,reference of former notification: |
| Details of the exemption(attach the exemption)[[12]](#endnote-12) | 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**.
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| Reasons for granting exemption[[13]](#endnote-13)(select as applicable) | unforeseen urgent operational circumstances Please detail:The 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. |
| Operational needs of a limited duration Please detail:As 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. |
| In case of non-approved change/repair:[[14]](#endnote-14) | If applicable, please refer to the EASA Project number: N/AIf no Project number, classification of the change/repair in accordance with Part 21:Minor □ / Major □ |
| Justifications of the maintained Level of Safety; Mitigating measures, if any[[15]](#endnote-15)  |  **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. |
| Additional observations[[16]](#endnote-16)(if any) |  |
| Contact Details of NAA[[17]](#endnote-17) | First name Surname E-mail Phone  |
| Agency Use  |
| Date received  |  |
| Date and reference of recommendation |  |

This form should be used to provide the basic details regarding the exemptions to be notified as per Article 14(4) of Regulation (EC) 216/2008. Provision of the data request in English will assist in processing the Agency recommendation in a timely manner

For instructions, please see details next page.

Instructions

1. State where the notification of exemption comes from. [↑](#endnote-ref-1)
2. Reference of the notification letter from the Member State or associated State to the Commission, the Agency and the other Member States. [↑](#endnote-ref-2)
3. Date of issuance of notification letter as mentioned in block 2. [↑](#endnote-ref-3)
4. Refer to Regulation (EC) 216/2008 (hereafter referred to as “Basic Regulation”) and articles. Basically, reference shall be made to Basic Regulation Article 14(4). Specific reference to Implementing Rules can be given in addition (example: Part 21, Part M … with the applicable paragraph corresponding to the NAA remit). [↑](#endnote-ref-4)
5. According to Basic Regulation Article 14(4) , the exemption shall be notified only in those two cases:

If the exemption is repetitive.

In this case, and if the former exemption was already notified to the Commission (or to EFTA Surveillance Authority, if applicable), to the Member States and to the Agency: provide the reference of the corresponding notification.

If the exemption is granted for more than 2 months. [↑](#endnote-ref-5)
6. Name of the organisation, operator, aerodrome or person whom the exemption is granted to. [↑](#endnote-ref-6)
7. Refer to the aircraft type/model/variant concerned by the exemption. [↑](#endnote-ref-7)
8. Refer to the registration concerned by the exemption. [↑](#endnote-ref-8)
9. Refer to the serial number concerned by the exemption. [↑](#endnote-ref-9)
10. If the information is relevant to the exemption, indicate the category of operations (e.g. Commercial Air Transport, private). [↑](#endnote-ref-10)
11. Date of the issuance and date of expiry of the exemption. [↑](#endnote-ref-11)
12. The description of the exemption should allow the Agency’s experts to provide a technical recommendation.

In the case of a non-approved change or repair, the title of the change/repair and the reason of non‑approval shall be given. Classification of the change/repair shall also be indicated in block 12.

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-12)
13. As per Basic Regulation Article 14(4), the exemption shall be granted only in the event of unforeseen urgent operational circumstances or operational needs of a limited duration. The corresponding case needs to be ticked and a short justification provided. [↑](#endnote-ref-13)
14. In the case where the change/repair is handled by the Agency, the Project number allocated by the Agency after receipt of the application for approval shall be provided so that the Agency’s experts can identify the files. [↑](#endnote-ref-14)
15. Describe how it is ensured that the level of safety is not adversely affected and what mitigating measures are put in place, if any [↑](#endnote-ref-15)
16. Any additional information that can help the Agency to provide a recommendation to the Commission can be added there. [↑](#endnote-ref-16)
17. Provide contact details (e-mail and phone) of the NAA official in charge of this exemption in the case where additional information would be required by the Agency. [↑](#endnote-ref-17)