



Implementation of ICAO Targeted Exemption (TE) notification process

Proper completion of the TE form

Guidance in relation to the COVID-19 pandemic

Issue no.: 1

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Revision record

Issue	Date of issue	Summary of changes
01	02.06.2021	Initial issue

1. Background

At the start of the COVID-19 pandemic in 2020, alleviations to the ICAO Standards of the Annexes, as entered into the Contingency Related Difference (CCRD) tool, were established as interim measures to support continued operations. As interim measures, these alleviations cannot sustain safe operations indefinitely and a return to normal operations (albeit a 'new' normal) is required.

While 31 March 2021 remains the date by which these alleviations were supposed to be finished, ICAO Council's Aviation Recovery Task Force (CART) proposed a 3-month transition period until end of June 2021, during which time the remaining alleviations are intended to be switched over from CCRD to the new Targeted Exemption (TE) format. Consequently, there is no need for submission of TE forms for exemptions, which will expire by 30 June 2021.

Targeted Exemptions (TEs) are tightly scoped and time limited State-issued exemptions to a specified subset of Standards, granted as a result of the COVID-19 pandemic and represent a temporary transitional option for States as they move back from reliance on the use of alleviations towards compliance with the SARPs. TEs should only be considered by a State once it is clear that all other options have been considered and determined to be unsatisfactory.

More info: <https://www.icao.int/safety/OPS/OPS-Normal/Pages/Targeted-Exemptions.aspx>

2. Purpose of this Guidance

- (a) The purpose of this Guidance is to assist the competent authorities of EASA Member States ((hereinafter referred to as NCAs) in the proper completion of TE forms to ensure that other ICAO Contacting States:
1. will recognize or accept the validity of certificates and licenses affected by the special temporary measures (i.e. COVID-19 exemptions) granted by NCAs, and
 2. accept flights using such TEs within their territory.

3. TE forms scope

- (a) TE forms should be filled in only for the exemptions applied to international commercial air transport (CAT) flights.
- (b) The areas, which require the filing of a TE form are limited to:
1. Pilot Proficiency Checks (PPC), Annex 6 Part I, 9.4.4.1, Annex 6 Part III, 7.4.3.1
[i.e. **Operator's Proficiency check**]
 2. Pilot Recent Experience (REC), Annex 6 Part I, 9.4.1.1 & 9.4.2.1, Annex 6 Part II, 3.9.4.2 & 3.9.4.3, Annex 6 Part III, 7.4.1.1
[i.e. **Flight crew recency**]
 3. Pilot Area, Route and Aerodrome Recency (ARA), Annex 6 Part I, 9.4.3.5, Annex 6 Part III, 7.4.2.5
[i.e. **route and aerodrome knowledge and recent experience**]
 4. Pilot Medical Certificates (MED), Annex 1, 1.2.4.4, 1.2.5.2, 1.2.5.2.2, 1.2.5.2.3 & 1.2.5.2.4
[i.e. **Medical certificate**]

5. Pilot Licence Validity (PEL), Annex 1, 1.2.5.1.2
[i.e. License proficiency check]

Note: There is no obligation to fill in the TE form for temporary exemptions from other crew training rules (e.g. actual donning of PBE, etc.).

4. Duration

- (a) It is the NCAs' obligation to complete TE forms for any exemption, within the scope of TE process, with expiration date beyond 30 June 2021. This includes exemptions in the context of both points 71(1) and 71(2) of Article 71 BR.
- (b) The deadline for the TE submissions is 30 June 2021. Therefore, NCAs should take their time to fill in all TE form elements properly before the submission.
- (c) If in June 2021, the NCA considers that the reasons for granting the exemptions no longer apply beyond June 2021, the exemption should be withdrawn. In this case there is no need for completing the TE form since the exemption is not valid from 01 July 2021. However, such withdrawal (or revocation) must be notified to EASA through FlexTool (BR requirement).
- (d) For any new exemption or extension of an exemption, which will be granted on or after 1 July 2021, NCAs should:
1. complete immediately the applicable TE forms regardless of the duration of the exemption and the EASA notification/ assessment process
 2. withdraw any TE in case of negative recommendation by EASA.

5. Completing the TE form

- (a) In <https://www.icao.int/safety/OPS/OPS-Normal/Pages/SubmittingTE.aspx>, TE forms can be accessed along with the associated instructions for completion. ICAO has issued specific instructions for information on completion of each TE form, which should be carefully reviewed before completing the forms.
- (b) Parts B & C of the TE forms should be completed using the fillable pdf form provided, not printed and completed by hand. The Part A is for ICAO use only.
- (c) Most of the information required for the completion of the TE form is included in the EASA form and can be directly transferred. In particular:

TE form	EASA form
Part B	
1.State	<< Member or Associated State / National Authority>> Note: With the full name
2.Notification Date	N/A (It is not related to the applicability date)

(date on which the TE was completed and submitted to ICAO for publication)	
3. Reason for granting TE	<<Reasons for granting it>>. Include info from both subparts (Urgent Unforeseeable circumstances – Urgent operational needs). Note: The required details regarding the plan for a return to normal operation when the TE expires may be shown in the << Summary of the exemption>>
4. Associated SARP (Target group) Check the relevant check box.	N/A (ICAO rules only)
5. TE Applicability period	<< Duration of exemption>>
6. TE approved for use by: (Details should be sufficient to identify who is subject to the TE without the need for follow up with the State focal point).	<<Concerned entity details>> Note: The required level of details may be shown in the << Summary of the exemption>> For example, if an operator has 2 aircraft types on their AOC and has access to an FSTD in which to conduct PPCs for one type, they should only be granted the TE for the subset of pilots for whom access to the FSTD is not possible.
7. Operator accountable person [within the affected organization (the operator, in this case)]	Not included Note: Name the Accountable manager of the AOC holder
8. State Focal Point (the person, who can be contacted in the event that additional information is required in respect of the issued TE.)	<<Contact Details of NAA>> Note: The position of the Focal Point is not included
9. State/CAA Accountable Person The person of authority, who has authorized the TE.	Not included
Part C	
1. Maximum interval (the actual elapsed time between PPCs being conducted by a pilot/ the amendment to recency requirements/	<<Summary of the exemption>>

the different time interval for ARA recency.)	
2. Specific mitigations (Select all that apply)	<< Summary of mitigating Measures >> Note: Include all mitigations in sufficient detail to provide evidence that the proposed mitigations have adequately addressed any additional safety risks associated with the use of the TE.
3. Document to be issued (any State-issued documentation that provides confirmation that crew are operating under a State approved TE, should be identified<	<<MS Original Granting Document >> as one of the options

- (d) TE forms should be completed using the ICAO terminology, allowing other States to understand the reasoning and all mitigating measures of the exemption.
- (e) NCAs should ensure that all mitigating measures, which are included in the granted exemption have been also included in the TE form.
- (f) Regarding the PILOT PROFICIENCY CHECKS (PPC) TE form, when the NCA completes the form, it should consider if the operator employs pilots who are holding licences issued by other NCAs. If this is the case, the following text should be included in the ‘Details’ of point 6 of the form (‘TE approved for use by:’), in order to address the ‘FCL element’ with regard to all pilots employed by that operator (no need for PEL TE submission for each single pilot):
- << Due to the automatic validation (ICAO Annex 1, Chapter 1, point 1.2.2.3.1) and the mutual recognition of pilot licenses within the EASA Member States (Article 67 of Regulation (EU) 2018/1139), Part-FCL license holders may continue to exercise their privileges at any operator under the oversight of any EASA Member State, provided that their licensing authority has granted them an exemption-based extension of the validity period of their instrument ratings and type ratings. Both such exemptions as well as exemptions for extensions of OPCs (PPCs), as granted by the competent authority that is responsible for the oversight of the operator, include mitigating measures to be implemented by the operator for which Part-FCL licence holders are flying.>>*
- (g) The TE notification process is within the responsibility of the Contracting States. EASA is not monitoring the TE notification process on the ICAO page. However, in case of doubts, NCAs are welcome to seek EASA’s advice through the relevant standardisation team leaders (country portfolio holders).
- (h) A specimen of a completed TE form is shown below to guide NCAs in fulfilling their responsibilities related to TE notification process.

6. Specimen of filled TE form

The purpose of this specimen is to guide the NCA in fulfilling its responsibilities related to the ICAO TE notification.

PILOT PROFICIENCY CHECKS (PPC)

Targeted Exemption (TE) Submission Form

Part A. ICAO use only

Refer to instructions for information on completion of this form

Part B. TARGETED EXEMPTION DETAILS	
1.State	SAFELAND
2.Notification Date	05/05/2021
3.Reason for granting TE	<p>Details:</p> <p>Lack of access to the only available FSTD of type SPC-X due to travel restrictions imposed by Safeland authorities as a consequence of the COVID-19 pandemic.</p> <p>The assessment of operator's rostering practices confirmed the unforeseen circumstances as a valid reason to request an exemption. The operator has demonstrated that the exemption request was processed through a prescribed change management process, which included hazard identification and risk assessment process.</p> <p>The additional risks related to simulated abnormal procedures in the aircraft were considered higher than the risks linked to the erosion of competence within the limited extension period.</p> <p>Safeland-CAA has concluded that the operator's mitigating measures address the safety risks of this exemption.</p> <p>Training agreement with the service provider supports compliance with all flight crew training regulations (return to normal operation) by the end of July 2021.</p>
4.Associated SARP (Target group) (Select one only)	<ul style="list-style-type: none"> • Pilot proficiency checks (aeroplanes) - Annex 6, P I, 9.4.4.1 <ul style="list-style-type: none"> ○ Pilot proficiency checks (helicopters) - Annex 6, P III, 7.4.3.1
5.TE Applicability Period	From: 12/01/2020 To: 07/31/2021
6.TE approved for use by:	Operator Name: Any Airlines. Letter Designator: ???
	<p>Details:</p> <p>Due to the automatic validation (ICAO Annex 1, Chapter 1, point 1.2.2.3.1) and the mutual recognition of pilot licenses within the EASA Member States (Article 67 of Regulation (EU) 2018/1139), Part-FCL license holders may continue to exercise their privileges at any operator under the oversight of any EASA Member State, provided that their</p>

	licensing authority has granted them an exemption-based extension of the validity period of their instrument ratings and type ratings. Both such exemptions as well as exemptions for extensions of OPCs (PPCs), as granted by the competent authority that is responsible for the oversight of the operator, include mitigating measures to be implemented by the operator for which Part-FCL licence holders are flying.	
7.Operator accountable person	Name:	Position
	Email:	Phone
8.State Focal Point	Name: Abcd Efg	Position
	Email: abefgh@caa.saferland	Phone
9.State/CAA Accountable Person	Name:	Position
	Email:	Phone
Part C. TARGETED EXEMPTION ELEMENTS		
1.Maximum interval	Max 8 months interval between proficiency checks (not to exceed 12) Notes: Value accumulated with the exemptions previously attributed	
2.Specific mitigations (Select all that apply)	<input checked="" type="checkbox"/> Alternative training requirements Details: Enhanced theoretical recurrent training and checking to compensate the extended validity, in accordance with the revised crew training programme, which includes in addition to normal course: <ul style="list-style-type: none"> • Elements regarding operator's specific approvals (e.g. MNPS, LVO, etc.) • Expanded training on the normal recurrent elements. • Specific pilots' assessment to determine the maintenance of the required level of knowledge to operate the applicable type within the extension period. 	
	<input type="checkbox"/> Operating limitations Details: 	
	<input type="checkbox"/> Restricted crew composition Details: 	

	<p style="text-align: center;">✓ Other mitigations</p> <p>Details:</p> <p>Safeland-CAA has amended the authority's oversight plan to include COVID-19 specific audits and inspections to verify the operator's effective implementation of mitigating measures.</p>
<p>3.Document to be issued (Select all that apply)</p>	<p>Crew operating under TE have been issued with the following documents:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Official TE document issued by CAA of the State of the Operator <input checked="" type="checkbox"/> Copy of the completed TE form, including Part A. <input type="checkbox"/> Other <p>Details:</p>