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.*

|  |
| --- |
| **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: Extension of periods related to continuing airworthiness.** |
| Domain | CAW |
| Exempted requirements[[4]](#endnote-4)(select as applicable) | **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). |
| 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 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. |
| 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: \*2020/03/XX  | Expiry date: 2020/11/30 |
| 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) | 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 exemption[[13]](#endnote-13)(select as applicable) | [x]  Unforeseeable urgent operational circumstancesThe 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.[x]  Operational needsAs 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. |
|  |
| 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:**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. |
| 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)