

Article 71(1) of Regulation (EU) 2018/1139

Exemption with duration (cumulative) up to 8 months Notification Form

Date of the Notification	2020-03-26
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Notifying State									
Member or Associated State / National Authority	LT								
Reference of the notification from the State	TCA decision No. 2-68 dated as 2020-03-25								
Contact Details of NAA	<table> <tr> <td>First name</td> <td>Justinas</td> </tr> <tr> <td>Surname</td> <td>Paskevičius</td> </tr> <tr> <td>E-mail</td> <td>justinas.paskevicius@tka.lt</td> </tr> <tr> <td>Phone</td> <td>8 (5) 273 9256</td> </tr> </table>	First name	Justinas	Surname	Paskevičius	E-mail	justinas.paskevicius@tka.lt	Phone	8 (5) 273 9256
First name	Justinas								
Surname	Paskevičius								
E-mail	justinas.paskevicius@tka.lt								
Phone	8 (5) 273 9256								

Exemption		
Title	Covid19 – outbreak: Extension of validity periods for licences, ratings, endorsements, certificates and attestations of aircrew, instructors, examiners	
Domain	ACW - Aircrew	
Exemption Requirements	Related Regulation	Commission Regulation (EU) No 1178/2011
	Sub-part	Part-FCL - Flight Crew Licensing
	Exemption requirements	points FCL.055, FCL.625, FCL.740, FCL.940 and FCL.1025 of Annex I (Part-FCL)
Repetitive Exemption	No, duration up to 8 months	
Duration of exemption	2020-03-25 to 2020-07-31	

Summary of the exemption

Subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field "Summary of mitigations"), with regard to licences, ratings, endorsements, certificates and attestations issued by Transport competence agency (TCA), including associated medical certificates and reports, all of the following shall apply:

Licences, ratings, certificates and attestations issued in accordance with Annex I (Part-FCL), Annex IV (Part-MED) and Annex V (Part-CC) to Regulation (EU) No 1178/2011

The validity period of all of the following is extended as follows:

(1) by 4 months or until the end of the application of this Exemption, whichever is the shorter period of time, in the case of:

(i) class ratings, type ratings and instrument ratings endorsed in Part-FCL commercial pilot licences (CPL, MPL, ATPL) for operating aircraft representing those classes and types within an organisation for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 is applicable;

(ii) Part-MED Class 1 medical certificates of holders of the ratings and certificates specified in point (i) above;

(2) until the end of the application of this Exemption, in the case of:

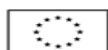
(i) Part-FCL instructor and examiner certificates the holders of which are involved in training and checking of holders of the class and type ratings specified in point 1(i) above;

(ii) language proficiency endorsements as per point FCL.055 of Part-FCL;

(iii) privileges of Part-MED aeromedical examiner certificates related to Class 1 medical certificates;

(iv) medical reports of cabin crew as per point MED.C.030 of Part-MED.

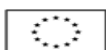
If, towards the end of the period specified in point (1), the competent authority considers that the reasons for granting this Exemption still apply, the validity period of the rating or certificate may be further extended for another period of up to 4 months or the end of the application of this Exemption, whichever date comes first.

Reasons for granting it

**Urgent
unforeseeable
circumstances**

The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States.

- Holders of Part-FCL commercial pilot licences who are required both to perform their licence proficiency check (LPC) to revalidate the validity period of their type and instrument ratings and to comply with the applicable operator recurrent training and checking requirements (OPC) in order to continue to exercise their privileges on behalf of their operator are not able to timely reach or gain access to flight simulation training devices (FSTD) to complete the necessary training and checking. Additionally, these pilots are not able to timely get access to an examination for maintaining their language proficiency. This would result in expiry of their ratings and the language proficiency endorsement.
- Holders of Part-FCL instructor and examiner certificates who are required to perform an assessment of competence to revalidate their instructor or examiner privileges in order to continue to exercise their training and checking privileges on behalf of their operator are not able to timely reach or gain access to FSTD to complete the necessary assessment of competence. This would result in expiry of said certificate.
- Holders of cabin crew attestations issued in accordance with Annex V (Part-CC) to Regulation (EU) 1178/2011 who are required to undergo a recurrent training, in accordance with the applicable requirements of Part-ORO, are not able to timely reach or gain access to training facilities.




	Urgent operational needs	As a result of the extreme operational and resource constraints caused by the COVID-19 outbreak, it is needed to apply this exemption to holders of European licences, ratings, certificates and attestations as well as operators/ANSPs/maintenance organisations when the said circumstances are declared to the CA by either the holder (of the licence, rating, endorsement, certificate or attestation) or the operator/ANSP/maintenance organisation to ensure a certain level of business continuity for organisations for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 or Annex I and Annex IV of Regulation (EU) No 2015/340 are applicable. This Exemption aims to reduce the severity of the disruptions that would otherwise occur due to non-availability of a sufficient number of crew members as well as ATCOs and aircraft maintenance licence holders to operate on behalf of said organisations.
Summary of mitigating measures	Safety, environmental protection	<p>A) Safety:</p> <p>(1) Part-FCL licence holders benefiting from this exemption shall comply with all of the following:</p> <ul style="list-style-type: none"> (a) they shall hold a valid class or type rating; (b) they shall operate under the management system of an organisation for which Part-ORO is applicable; (c) they shall have received refresher training, followed by the completion of an assessment by means established by the operator to determine that the required level of knowledge to operate the applicable class or type is maintained. That assessment shall include class – or type – specific abnormal and emergency procedures. <p>Upon successful completion of the refresher training and the assessment as per point (c), the new expiry date of the relevant rating and, if applicable, the language proficiency endorsement, shall be endorsed in the licence of the pilot, either by the CA or by an examiner nominated by the operator and acting in accordance with point FCL.1030, as applicable.</p> <p>(2) Part-FCL instructors and examiners certificate holders benefiting from this exemption shall hold a valid instructor and, if applicable, a valid examiner certificate. The new expiry date shall be indicated in one of the following methods:</p> <ul style="list-style-type: none"> (a) it shall be endorsed in the licence of the pilot, either by the CA or a (senior) examiner nominated by the operator and acting in accordance with point FCL.1030, as applicable; (b) it shall be endorsed by the CA in an attachment to the instructor or examiner certificate. <p>B) Environment:</p> <p>The circumstances and needs addressed by the exemption do not have an impact on environment.</p>



	Market distortion	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.
	Essential requirements	E) Essential requirements: Not applicable.
Type of Operation	N/A	
Non-approved change/repair	N/A	

Concerned Entity(ies)	
Concerned entity	Organisation
Concerned entity details	Holders of licences, ratings, certificates, endorsements and attestations issued by Transport competence agency (TCA) in accordance with the Regulations specified above in the field "Exempted requirements"
Product	N/A

Attached Documentation	
MS Original Granting Document	 2020-03-25 No. 2-68.pdf

