

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

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

<b>Date of the Notification</b>	2020-03-26
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Notifying State									
<b>Member or Associated State / National Authority</b>	LT								
<b>Reference of the notification from the State</b>	TCA order No. 2-68 dated as 2020-03-25								
<b>Contact Details of NAA</b>	<table> <tr> <td>First name</td> <td>Andrejus</td> </tr> <tr> <td>Surname</td> <td>Golubevas</td> </tr> <tr> <td>E-mail</td> <td><a href="mailto:andrejus.golubevas@tka.lt">andrejus.golubevas@tka.lt</a></td> </tr> <tr> <td>Phone</td> <td>+370 620 14372</td> </tr> </table>	First name	Andrejus	Surname	Golubevas	E-mail	<a href="mailto:andrejus.golubevas@tka.lt">andrejus.golubevas@tka.lt</a>	Phone	+370 620 14372
First name	Andrejus								
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Exemption		
<b>Title</b>	Covid19 – outbreak: Extension of validity periods for licences, ratings, endorsements, certificates and attestations of aircrew, instructors, examiners	
<b>Domain</b>	OPS - Air Operations	
<b>Exemption Requirements</b>	<b>Related Regulation</b>	Commission Regulation (EU) No 965/2012
	<b>Sub-part</b>	Part-ORO - Organisation Requirements for Air Operations
	<b>Exemption requirements</b>	<ul style="list-style-type: none"> <li>- points ORO.GEN.110, ORO.FC.130, ORO.FC.230, ORO.FC.330, ORO.FC.A.245 and ORO.CC.140 of Annex III (Part-ORO)</li> <li>- point SPA.DG.105 of Annex V (Part-SPA)</li> </ul> <p>Note: The list of Regulation (EU) No 965/2012 exempted requirements includes any applicable Part-SPA recurrent training and checking elements.</p>
<b>Repetitive Exemption</b>	No, duration up to 8 months	
<b>Duration of exemption</b>	2020-03-25 to 2020-07-31	

**Summary of the exemption**

Training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012

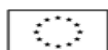
Subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field "Summary of mitigations") all of the following shall apply:

The validity period of all of the following is extended by 4 months or until the end of the application of this Exemption, whichever is the shorter period of time:

- (1) operator proficiency checks (OPC) in accordance with points ORO.FC.230(b) and ORO.FC.330 of Part-ORO;
- (2) operator line-oriented evaluation in accordance with point ORO.FC.A.245(d) of Part-ORO, if applicable;
- (3) operator emergency and safety equipment training and checking in accordance with point ORO.FC.230(d) of Part-ORO;
- (4) operator ground and flight training in accordance with point ORO.FC.230(f) of Part-ORO;
- (5) operator cabin crew recurrent training and checking in accordance with point ORO.CC.140 of Part-ORO;
- (6) operator line checks (LC) in accordance with point ORO.FC.230(c) of Part-ORO;
- (7) operator dangerous goods recurrent training in accordance with point ORO.GEN.110(j) of Part-ORO and, when applicable, point SPA.DG.105(a) of Part-SPA;
- (8) operator crew resource management recurrent training in accordance with point ORO.FC.230(e)(1) and (e)(2) of Part-ORO;
- (9) operator recurrent training and checking in accordance with point ORO.FC.130 of Part-ORO.

Note: The list above includes any applicable Part-SPA recurrent training and checking elements

If, towards the end of the period specified in the introductory sentence of this point (b), the competent authority considers that the reasons for granting the Exemption still apply, the validity period of relevant training and checking may be further extended for a period of up to 4 months or by 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 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.



	<p><b>Urgent operational needs</b></p>	<p>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 when the said circumstances are declared to the TCA by either the holder (of the licence, rating, endorsement, certificate or attestation) or the operator to ensure a certain level of business continuity for organisations for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 is applicable.</p> <p>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 to operate on behalf of said organisations.</p>
<p><b>Summary of mitigating measures</b></p>	<p><b>Safety, environmental protection</b></p>	<p>A) Safety:</p> <p>Operators benefiting from this exemption shall comply with all of the following:</p> <p>(a) The operator shall ensure that flight crew members benefiting from this exemption comply with the refresher training specified in point (1) above in all of the following cases:</p> <p>(i) operator proficiency checks (OPC) in accordance with point ORO.FC.230(b);</p> <p>(ii) line checks in accordance with point ORO.FC.230(c);</p> <p>(iii) line-oriented evaluation in accordance with point ORO.FC.A.245(d), if applicable.</p> <p>(b) In addition to point (a) above, the refresher training mentioned in point (1)(c) shall include any additional Part-SPA related elements, as applicable.</p>



		<p>(c) The operator shall ensure that crew members complete additional training through any means in all of the following cases:</p> <p>(i) operator emergency and safety equipment training and checking in accordance with ORO.FC.230(d);</p> <p>(ii) ground and flight training in accordance with point ORO.FC.230(f);</p> <p>(iii) OPC for commercial specialised operations and CAT operations referred to in point ORO.FC.005(B)(1) and (2), in accordance with point ORO.FC.330;</p> <p>(iv) cabin crew recurrent training and checking in accordance with point ORO.CC.140;</p> <p>(v) dangerous goods recurrent training in accordance with point ORO.GEN.110(j) and, when applicable, point SPA.DG.105(a);</p> <p>(vi) crew resource management recurrent training in accordance with point ORO.FC.230(e)(1) and (e)(2);</p> <p>(vii) operator recurrent training and checking in accordance with point ORO.FC.130 of Part-ORO.</p> <p>Note: The intent of “through any means” is that operators provide additional training to crew members in order to compensate for the extended validity of the different training elements of Part-ORO and Part-SPA, as applicable. This could be done for example via briefing/leaflet/bulletin/CBT/video.</p> <p>B) Environment: The circumstances and needs addressed by the exemption do not have an impact on environment.</p>
	<b>Market distortion</b>	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.
	<b>Essential requirements</b>	Not applicable.
<b>Type of Operation</b>	N/A	
<b>Non-approved change/repair</b>	N/A	

<b>Concerned Entity(ies)</b>	
<b>Concerned entity</b>	Operator
<b>Concerned entity details</b>	All CAT / SPO / NCC operators under the oversight of Transport competence agency (TCA) to which requirements of training and checking in accordance with Annex III (Part-ORO) to Regulation (EU) No 965/2012 and any Part-SPA recurrent training and checking elements are applicable.
<b>Product</b>	N/A



**Attached Documentation**

**MS Original Granting Document**

 [2020-03-25 No. 2-68.pdf](#)

