

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

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

<b>Date of the Notification</b>	2020-03-31
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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 decision No. 2-72 dated as 2020-03-31								
<b>Contact Details of NAA</b>	<table> <tr> <td>First name</td> <td>Vidmantas</td> </tr> <tr> <td>Surname</td> <td>Plėta</td> </tr> <tr> <td>E-mail</td> <td><a href="mailto:vidmantas.pleta@tka.lt">vidmantas.pleta@tka.lt</a></td> </tr> <tr> <td>Phone</td> <td>+370 686 78450</td> </tr> </table>	First name	Vidmantas	Surname	Plėta	E-mail	<a href="mailto:vidmantas.pleta@tka.lt">vidmantas.pleta@tka.lt</a>	Phone	+370 686 78450
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Exemption		
<b>Title</b>	Covid19 – outbreak: Additional extension of the Airworthiness Review Certificate validity / the issuance of ARC for 6 months after partial Airworthiness review.	
<b>Domain</b>	CAW - Continuing Airworthiness	
<b>Exemption Requirements</b>	<b>Related Regulation</b>	Commission Regulation (EU) No 1321/2014
	<b>Sub-part</b>	Part-M - Continuing airworthiness requirements
	<b>Exemption requirements</b>	Regulation (EU) 1321/2014: - particularly point M.A.901 of Annex I (Part-M) or ML.A.901 of Annex Vb (Part-ML), as applicable. - particularly point M.B.902 of Annex I (Part-M) or ML.B.902 of Annex Vb (Part-ML), as applicable.
<b>Repetitive Exemption</b>	No, duration up to 8 months	
<b>Duration of exemption</b>	2020-03-31 to 2020-07-31	

<p><b>Summary of the exemption</b></p>	<p>Subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field "Summary of mitigations"), all of the following shall apply:</p> <p>1) Provided that the Airworthiness Review Certificate (ARC) has already been extended twice and it expires before 31 July 2020, an additional extension of the validity period by 6 months is allowed by issuing new ARC; or</p> <p>2) Provided that the Airworthiness Review Certificate (ARC) expires before 31 July 2020, an additional extension of the validity period by 6 months is allowed if aircraft was managed by CAMO (in case of "transferred" aircrafts between EU member states); or</p> <p>3) For a period of 4 months, from 1 April 2020 till 31 July 2020, Airworthiness Review Certificates requested to be renewed by the Transport Competence Agency, can be issued by the TCA for a period of maximum 6 months without performing an full airworthiness review in accordance with M.A.901.</p> <p>If, towards the end of the 6-month period, the competent authority (TCA) considers that the reasons for granting this Exemption still apply, the validity period of the certificate may be further extended for a period of up to 6 months or the end of the application of this Exemption, whichever comes first.</p> <p>This Exemption aims to reduce the severity of the disruptions that would otherwise occur due to non-availability of airworthiness review staff to perform the physical survey on behalf of the approved organization.</p>	
<p><b>Reasons for granting it</b></p>	<p><b>Urgent unforeseeable circumstances</b></p>	<p>A) The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States. This might impact the performance of the physical survey which is part of the airworthiness review. The airworthiness review is mandatory when the ARC had been already extended twice. This would result in expiry of the ARC.</p> <p>B) The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States. Inspections can no longer be performed on site for the TCA AR inspectors due to federal policy.</p>
	<p><b>Urgent operational needs</b></p>	<p>A) 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 when the said circumstances are declared to the CA of the State of Registry by the organization that manages the continuing airworthiness of the aircraft (approved in accordance with Part-M Subpart G, Part-CAMO or Part-CAO ) to ensure a certain level of business continuity ( e.g. avoiding expiration of the ARC).</p> <p>B) As a result of the mentioned unforeseen circumstances, it is needed to apply this exemption in order not to ground aircraft due to unavailability of TCA staff.</p>



<b>Summary of mitigating measures</b>	<b>Safety, environmental protection</b>	<p>A) Safety:</p> <p>In order to benefit from the Exemption the following mitigating measures must be complied with:</p> <p>1) For bullet point No. 1:  (1) the conditions for an extension of the ARC in accordance with points (b) and (j) of M.A.901 or point (c) of ML.A.901, as applicable, are met; and  (2) a full documented review in accordance with point (k) of M.A.901 or point ML.A.903, as applicable, has been satisfactorily conducted.</p> <p>2) For bullet point No. 2:  (1) Aircraft was managed by one CAMO starting from the date of ARC acceptance by TCA (in case of “transfer between EU”); and  (2) Aircraft was maintained by Part-145 or Part M subart F approved maintenance organization; and  (3) a full documented review in accordance with point (k) of M.A.901 or point ML.A.903, as applicable, has been satisfactorily conducted.</p> <p>3) For bullet point No. 3:  (1) a full documented review in accordance with point (k) of M.A.901 or point ML.A.903, as applicable, has been satisfactorily conducted by TCA AR staff.  (2) The part of physical inspection has been performed by Licensed maintenance staff (Part-66 or National AML holder) as specified in TCA director’s order No. 2-72 dated as 2020-03-31.</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	

**Concerned Entity(ies)**

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<b>Concerned entity</b>	Organisation
<b>Concerned entity details</b>	Organisations approved in accordance with Subpart G of Annex II (Part-M), Annex Vc (Part-CAMO) and Annex Vd (Part-CAO) of Regulation (EC) 1321/2014. Airworthiness Review Certificates requested to be renewed by the Transport Competence Agency in accordance with the Regulations specified above in the field "Exempted requirements"
<b>Product</b>	N/A

<b>Attached Documentation</b>	
<b>MS Original Granting Document</b>	 <a href="#">2020-03-31 No. 2-72.pdf</a>

