

ОПЕРАТИВНО ОБАВЕШТЕЊЕ		ОАМ Број: 14/2020 Датум издавања: 26.11.2020
Наслов:	Изузеће као начин за ублажавање последица изазваних пандемијом вируса COVID-19	

Врста ваздушног саобраћаја на које се примењује ОАМ:

јавни авио-превоз посебне делатности из ваздуха некомерцијално летење

Поштовани оператери,

Имајући у виду да Одлука Директората цивилног ваздухопловства Републике Србије евидентирана под бројем 6/2-03-0008/2020-0094 истиче дана 30.11.2020. године, а да и даље постоји потреба за ублажавањем последица изазваних пандемијом вируса COVID-19 обавештавамо оператере који обављају јавни авио-превоз да је Агенција Европске уније за безбедност ваздушног саобраћаја публиковала упутство за поступање у случају потребе за издавањем додатног изузећа.

Сходно упутству, сваки оператер који обавља јавни авио-превоз може да захтева изузеће од појединих одредби које се односе на важење периодичних обука и провера одређених Правилником о условима за обављање ваздушног саобраћаја („Службени гласник РС“, бр. 9/18, 56/18 и 12/19).

Приликом подношења захтева за издавање изузећа важно је да се обрати пажња на чињеницу да изузеће не може да се односи на продужење рока важења за обуке које се обављају теоријски већ само за оне обуке и провере који се обављају практично.

Од оператера се очекује да процене потребу за прибављањем изузећа, а посебно рока на који је потребно да се изда изузеће. Такође, оператери ваздухоплова се саветују да у што краћем року својим планским активностима обезбеде пуну усаглашеност са периодима важења наведених у Правилнику о условима за обављање ваздушног саобраћаја („Службени гласник РС“, бр. 9/18, 56/18 и 12/19).

Ради ефикаснијег поступка подношења захтева за издавање изузећа у прилогу оперативног обавештења достављамо упутство Агенције Европске уније за безбедност ваздушног саобраћаја.

С поштовањем,

Директорат цивилног ваздухопловства
Републике Србије



Guidelines
for handling exemptions from crew training and
checking requirements in the field of commercial air
transport operations under Article 71 of Regulation
(EU) 2018/1139 (The Basic Regulation)

Guidelines in relation to the COVID-19 pandemic

Issue no.: 1

Date: 19.11.2020

Table of contents

1.	Background	3
2.	Purpose of these Guidelines	3
3.	Exempted requirements	4
4.	Duration	5
5.	Considerations	5
6.	Reasons for granting an exemption	7
6.1	Urgent unforeseeable circumstances.....	7
6.2	Urgent operational needs.....	7
6.3	Inability to adequately address those circumstances or needs in compliance with the applicable requirements	7
7.	Mitigating measures	8
7.1	Assessment of safety	8
7.2	Assessment of mitigation of any possible distortion of market conditions	10
7.3	Assessment of compliance with the applicable essential requirements	10
8.	Job aid	11
9.	Information to be included in FlexTool notifications.....	15

Revision record

Issue	Date of issue	Summary of changes
01	19.11.2020	Initial issue

Change Revision Summary

Paragraph no.	Description of change
	n/a

1. Background

The cessation or significant reduction of continuous commercial air transport operations, as well as the travel restrictions resulted from the COVID-19 outbreak and imposed health safety measures may still limit access to training facilities.

Today, even under the 'new normal', compliance with all applicable crew training and checking requirements should be sought as much as possible. However, this may still be difficult for those European operators for which RNO (Return to Normal Operation) is not happening as fast as initially expected. For these cases, the potential continued use of exemptions in accordance with Article 71 of Regulation (EU) 2018/1139 (hereinafter: BR (Basic Regulation)), also **beyond the initial 8-month duration**, may need to be considered.

2. Purpose of these Guidelines

The purpose of these Guidelines is to assist Member States in the continued use of Article 71 BR during the COVID-19 pandemic.

The outbreak of COVID-19 in early 2020 and the related restrictions prevented operators from complying with the **recurrent training and checking** requirements for flight crew and cabin crew. Consequently, Member States issued a significant amount of exemptions from the applicable training provisions by using Article **71(1) BR**.

Those exemptions allowed commercial air transport (CAT) operators to deviate from crew training and checking requirements for a duration of up to **eight months, which is the maximum period allowed under the 'simple' exemption procedure of Article 71(1) BR**.

As already mentioned in Chapter 1, not all CAT operators are yet able to fully comply with the applicable crew training and checking requirements, due to the ongoing COVID-19 pandemic. For those CAT operators, Member States may consider extending the exemption regime that was put in place in early 2020, subject to conditions laid down in Article 71(1) BR, including the assessment of the need for continuing the exemptions and ensuring safety, where necessary through the application of appropriate mitigating measures. In this regard, the applicable procedure will be the one set out in:

- (a) Article 71(1) BR, in cases where the total duration of the exemptions granted by Member States in early 2020 and of the subsequent exemptions now being considered does not exceed eight months;
- (b) **Article 71(2) BR, in all other cases where the total duration of the exemptions granted by Member States in early 2020 and of the subsequent exemptions now being considered would exceed eight months.**

For issuing extended exemptions to CAT operators as per point (a) above, Member States may use the exemption templates that were provided by EASA in early 2020.

In the context of point (b) above, this document provides guidelines for national competent authorities (NCAs) in using Article 71 BR for extending the exemption regime for CAT operators that still face significant issues when seeking compliance with crew training and testing requirements in the course of the continuing COVID-19 pandemic.

This document includes a job aid for NCAs to ensure that all provisions of Article 71(1) and Article 71(2) BR are complied with.

As a general principle and irrespective of the duration of the exemptions granted to the aircraft operator, EASA does not recommend extending the validity of licence proficiency checks (LPC), medical certificates and theoretical recurrent training and checking elements by more than eight months in respect of any individual pilot. Any deviation from this approach should be carefully evaluated by the NCA as regards the impact on safety.

For the continued use of exemptions exclusively from the requirements of Regulation (EU) No 1178/2011 on aircrew, Regulation (EU) 2018/395 on balloons and Regulation (EU) 2018/1976 on sailplanes, please refer to the specific EASA Guidelines developed for this purpose¹.

3. Exempted requirements

(a) The requirements from which exemptions may be considered are the following:

1. **Regulation (EU) No 1178/2011, particularly:**

(i) points FCL.740(b), FCL.625(c);

For clarity purposes, exemptions from the aforementioned Part-FCL requirements can be considered only when both the candidate pilot and the instructor or examiner are employed by the same operator.

(ii) points FCL.940.CRI, FCL.940.SFI, FCL.940.TRI and FCL.1025 (solely in the context of CRE/SFE/TRE including senior examiners) of Annex I (Part-FCL). (Please refer to the Aircrew guidelines.)

2. **Regulation (EU) No 965/2012, particularly:**

(i) points ORO.GEN.110, ORO.FC.105, ORO.FC.130, ORO.FC.230, ORO.FC.235, ORO.FC.330, ORO.FC.A.245, ORO.CC.140 and ORO.TC.135 of Annex III (Part-ORO);

(ii) point SPA.DG.105(b) of Annex V (Part-SPA).

(b) When applying Article 71 BR, the NCAs should specify all of the following:

1. the particular exemption procedure (Article 71(1) or 71(2) BR);
2. the duration of the exemption (indicating start and end date);
3. the reasons for granting the exemption;
4. the particular provisions of Part-ORO/Part-FCL from which exemptions are being granted;
5. the extension period(s) related to a particular validity period;
6. mitigating measures necessary to ensure safety and compliance with the essential requirements;

(c) For uploading the exemption notification via FlexTool, please refer to Chapter 9 of this document.

¹ Guidelines for the continued granting of exemptions in accordance with Article 71 of Regulation (EU) 2018/1139 to aircrew as per Regulation (EU) No 1178/2011, Regulation (EU) 2018/395 and Regulation (EU) 2018/1976, published on 19.11.2020.

4. Duration

The exemptions should be limited in scope and duration to the extent strictly necessary and should be applied in a non-discriminatory manner.

For the purpose of this document and in the context of applying Article 71 BR, the terms ‘duration of exemption’ on the one hand and ‘extension period’ (e.g. for the extension of the validity period of a particular rating or certificate) on the other hand should be differentiated.

The ‘**duration of the exemption**’ is the time period during which a Member State decides to issue privileges to persons or organisations under its oversight, where the conditions for the issuance of such privileges are not in full compliance with the existing regulatory framework. The duration of the exemption, or the total duration if the Member State grants the same exemption repetitively, is relevant for determining whether EASA has to follow the assessment procedure under Article 71(2) BR. Irrespective of whether EASA has to follow that assessment procedure or not, the conditions for granting the exemptions by Member States laid down in Article 71(1) BR remain the same.

The ‘**extension period**’ is the additional time period that, on the basis of the exemption, is granted to a person or organisation in respect of a particular expiry date. For example, if between March 2020 and November 2020 a Member State decides to grant a six-month extension to class and type rating or operator proficiency check (OPC) validity periods, then the duration of the exemption is eight months (March to November) while the extension period is six months.

In this context, it should be highlighted that there is no specific restriction on the duration of an exemption based on Article 71(2) BR. However, the acceptable duration of any exemption as well as the length of the extension periods will be dependent on the duration of the related urgent operational needs and the proposed mitigation measures.

In these Guidelines, the maximum extension period for a particular training and checking should be counted from the initial expiry date and it should take into account any previous exemptions.

The overall duration of an exemption should last until 31 July 2021. During this period, any extension should be granted up to 31 March 2021, which equals the agreed ICAO ‘sunset’ date².

If, in March 2021, the competent authority considers that the reasons for granting the exemptions will, beyond March 2021:

- (i) still apply, (additional) extension periods may be granted up to July 2021;
- (ii) no longer apply, the exemption should be withdrawn. Such withdrawal (or revocation) shall be notified through FlexTool (BR requirement).

5. Considerations

- (a) NCAs are advised to contact EASA prior to issuing an exemption as per Article 71 BR, when such an exemption cannot be issued following these guidelines and for clarification.
- (b) Every exemption granted should be monitored by NCAs to verify the effective implementation of the mitigating measures of aircraft operators, to ensure that, at the end of the exemptions period, the crew training backlog is properly managed.

² For the ICAO sunset date, please see ICAO SL 122, recommendation #12.

- (c) Exemptions as per Article 71(1) BR (ref. Template 1a and associated guidance) are still available for Member States that have so far granted such general exemptions for a duration of less than eight months, provided that the total duration of the exemption issued in early 2020 and of the subsequent exemption does not exceed eight months. For example, when a Member State in early 2020 granted a general exemption with a duration of only four months, for potential use by all air transport operators under its oversight, the Member State can now continue to issue, for up to four more months, **an individual exemption as per Article 71(1) BR to a specific operator**. In all other cases (e.g. when a Member State in early 2020 granted a general exemption with a duration of eight months and now needs to continue with **individual exemptions** for another few months), the procedure as per **Article 71(2) BR shall be applied**.
- (d) The following existing EASA guidelines for granting exemptions and conduct of training during the COVID-19 crisis should be taken into account:
1. *EASA COVID-19 Template 1a*
Covid19 – outbreak: Extension of validity periods for licences, ratings, endorsements, certificates and attestations of aircrew, instructors, examiners, aircraft maintenance licence holders and air traffic controllers
 2. *EASA Guidelines for handling exemptions to flight crew recent experience requirements in the field of commercial air transport operations in accordance with point ORO.FC.100 ANNEX III (Part-ORO) to Regulation (EU) No 965/2012 and point FCL.060 ANNEX I (Part-FCL) to Regulation (EU) 1178/2011 under article 71(1) of Regulation (EU) 2018/1139 (The Basic Regulation)*
 3. *Guidance for Allowing virtual classroom instruction and distance learning in relation to the Covid-19 pandemic*
 4. *Guidelines for Cabin Crew Recurrent Training during Covid-19*
- (e) **No exemptions should be normally granted from the theoretical items of crew training programmes**, taking into consideration the availability of many different alternative training methods (electronic classroom, VR, videos, applications for online training with interacting groups of trainees, etc.) to provide all theoretical training courses.
- (f) The following pilot competencies could be regained, once a flight crew member completes an adequately composed OPC:
1. specific approvals (LVO, EFB, MNPS PBN, ETOPS, HOIST, HEMS, HOFO, etc.);
 2. steep approach, short field operation, narrow runways, etc.;
 3. either pilot's seat qualification;
 4. familiarisation with the more complex areas or routes in a flight simulation training device (FSTD) using an appropriate database.
- (g) The duration of an OPC, if deemed necessary, can be reassessed in light of the current operational needs. The operator should propose a reasonable duration of the check that allows a crew member to complete the revised training and checking elements (in accordance with the minimum requirements of Part-ORO Subpart ORO.FC), subject to NCA approval.
- (h) **Pairing exempted crew member(s) with fully compliant crew member(s) may be considered**.

6. **Reasons for granting an exemption**

6.1 Urgent unforeseeable circumstances

- (a) Urgency has to be consistent with the operator's risk assessment supporting the exemption request.
- (b) Consideration of:
 - 1. The current operator's contract – verify service provider's non-availability (verification can be done through evaluation of evidence, if considered sufficient).
 - 2. The possibility to (temporarily) sign contract(s) with other service providers, if available.
 - 3. The restrictions/limitations present at the time of planning; an assessment of existing rostering practices may be performed in order to ascertain that unforeseen circumstances are indeed a valid reason to request an exemption.
- (c) **The sole obligation of quarantine does not automatically justify an exemption as per Article 71 BR.**

6.2 Urgent operational needs

- (a) Operators should act with due diligence in order to prevent the need for an exemption (e.g. verification of training facilities availability).
- (b) Urgent operational need may arise from a reduction in the capacity of training facilities, as a result of the need to comply with health measures that could not have been foreseen in due time for planning testing and checking activities.
- (c) Business needs can drive operational needs. NCAs should investigate whether these needs are processed through the prescribed change management process (which in turn uses the hazard identification and risk assessment process). Exemption requests should be processed only after the operator has implemented such processes with due diligence and has justified the urgency, linked with the inability to adequately address those circumstances or needs in compliance with the applicable requirements.

6.3 Inability to adequately address those circumstances or needs in compliance with the applicable requirements

- (a) NCAs should identify whether the training and checking elements for which an exemption is requested are indeed set out at the level of implementing rules (IR). Sometimes, particular training and checking elements are specified at the level of acceptable means of compliance (AMC), allowing an operator to develop alternative means of compliance (AltMoC) in order to address its needs.
- (b) In the case of flight training and checking, the use of the aircraft can be evaluated, especially for helicopter, air taxi and less complex CAT operations. In these cases, only some elements may be exempted (decreasing overall exposure). Due consideration must be given to the additional risks related to simulated abnormal procedures in the aircraft, as these may be higher than the risks linked to the erosion of competence. When the training or checking usually performed in FSTD is temporarily conducted in the real aircraft, special emphasis should be put on the competencies of instructors and examiners in performing these activities in the aircraft.

7. Mitigating measures

7.1 Assessment of safety

(a) *Practical training elements*

The validity of practical training elements included in the operator's annual and triennial recurrent training programme (e.g. actual use of equipment / donning and inflation of a life-jacket/PBE, handling of fire extinguishers/pyrotechnics, firefighting, actual operation of exits in the emergency mode, etc.), could be extended provided that operators' risk assessment defines appropriate mitigation measures, including additional training. This additional training may include one or more of the following:

1. training items related to the postponed practical training (e.g. videos, VR, CBT, web-based training; virtual classroom, etc.);
2. touch drills in the aircraft;
3. demonstrations by trainers.

In case of extended exemption duration, the additional training should be repeated after a certain period, which should be defined considering:

4. the total experience of the crew member;
5. the time elapsed since the last regular relevant training event.

As an example, if the crew member has completed one triennial recurrent training cycle, the validity of the additional theoretical training may be extended up to 12 months, counted from the initial expiry date (previous exemptions to be taken into account).

In other cases, a shorter period could be an acceptable mitigating measure.

(b) *Operator proficiency check (OPC) and operator recurrent flight training*

The validity period of an OPC and operator recurrent flight training could be extended from 8 up to 12 months, counted from the initial expiry date (previous exemptions to be taken into account). This is possible provided that the operators' risk assessment defines, in addition to the mitigating measures specified in the EASA Template 1a, mitigation measures that include at least enhancement of the regular theoretical training which may include touch drill training in the aircraft. The risk assessment should consider:

1. the total experience of the crew member (e.g. on the type and within the operator);
2. the time elapsed from the last regular relevant training.

(c) *Category C aerodrome knowledge*

In case of lack of operation within a 12-month period, the validity of Category C aerodrome knowledge may be extended as follows:

1. Up to 18 months for:
 - (i) line supervisors (line training captains) and type rating instructors (TRIs) if they are briefed or self-briefed by means of programmed instructions on the aerodrome concerned;

- (ii) all other pilots if they are briefed or self-briefed by means of programmed instructions on the aerodrome concerned and complete training in an FSTD, as described below.
- 2. Up to 24 months for line supervisors (line training captains) and type rating instructors (TRIs) if they are briefed or self-briefed by means of programmed instructions on the aerodrome concerned and complete training in an FSTD, as described below.

The training in an FSTD referred to in points 1 and 2 above should be undertaken in another aerodrome, where the aerodrome C environment can be simulated. The training should include exercises related to all risk factors of each Category C aerodrome (terrain, performance limited runway, high elevation, exceptional approach profile, etc.). NCA should carefully evaluate if the risk of negative transfer of training is addressed.

(d) *Availability and accessibility of FSTD*

Applications for exemptions from FSTD training are based on two reasons: availability and accessibility (see definitions in point FCL.010 and the requirements in Section A point (1) of Appendix 9 to Part-FCL).

In case of confirmed unavailability of any adequate FFS, the following options should be considered:

1. Use of FFS that is qualified by a third country and has similar FSTD technical specification as the European PRDs, provided that negative transfer of training is avoided;
2. Use of FTD/FNPT

Note 1: In the case of single-pilot aeroplanes and helicopters, the use of FSTDs other than FFS, in combination with the aircraft, is foreseen in Section A point (1) of Appendix 9 to Part-FCL for cases where an FFS is not available/accessible. For this purpose, an exemption as per Article 71 BR is not necessary.

Note 2: In the case of multi-pilot aircraft, FSTDs other than FFS may be used only to the extent to which appropriate mitigating measures are put in place to avoid negative transfer of training.

In case of quarantine, the closure of borders or other specific restrictions enforced by health authorities, the operator should do all of the following before applying for an exemption (extension of validity period for training and/or checking events):

3. establish the plan for training and checking events well in advance;
4. evaluate the possible alleviations for specific job categories (e.g. flight crew, cabin crew, etc.) granted by the State where the training and checking activity are taking place;
5. evaluate the possibility to make the COVID-19 test in advance and in accordance with the health measures imposed by local authorities;
6. demonstrate that an unexpected change in the health measures imposed and procedures to comply with happened without allowing the application of any solution;
7. anticipate training and checking as far as practicable in order to prevent possible future restrictions.

In such cases, NCAs should grant a respective exemption only for the period that is necessary for the operator to reschedule the respective training or checking event.

(e) *Line check*

To carry out the line check, an aircraft should be used. The validity period of the line check could be extended from 8 to 12 additional months, provided that a line-oriented session in a suitable FSTD is performed, if considered adequate to demonstrate competence in carrying out normal line operations as described in the operations manual.

If the flight crew is not involved in any line operations and the line check has expired, resumption of operations should be managed by the operator. Return to normal operations

In case of flight a crew member's extended absence from line operations, the return to normal operations may include some sectors of line flying under supervision. The minimum number of sectors should be based on the operator's risk assessment, the crew recency status and the other exemptions granted. Line flying under supervision offers the chance to confirm a flight crew member's cognitive and non-cognitive skills.

(f) *IR and class- and type-rating renewal*

For the renewal of a class or type rating that is expired for less than 12 months, the NCA could, on a case-by-case basis and considering the individual circumstances, grant an exemption as per Chapter 3 (a) (Regulation (EU) No 1178/2011) to allow an AOC holder (instead of an ATO) to determine the need for, and to carry out the refresher training as foreseen in point FCL.740 of Part-FCL. Such refresher training may be delivered only to pilots employed by that operator.

For the renewal of an IR, the NCA should apply the same criteria, provided that the IR renewal proficiency check is combined with a proficiency check performed for the renewal of the relevant class or type rating.

(g) *Instructors and examiners certificates*

The validity period of instructor and examiner certificates may be extended, without any additional mitigating measures, for a total period of up to 12 months, counted from the initial expiry date (previous exemptions to be taken into account).

7.2 Assessment of mitigation of any possible distortion of market conditions

- (a) NCAs should apply a non-discriminatory approach to operators requesting exemptions. Nevertheless, NCAs may handle individual requests differently, taking into account the safety and compliance performance of each operator and the unique needs and circumstances at the basis of the requests.
- (b) NCAs are invited to use the FlexTool, the MS advisory bodies and the established EASA/NCA networks to gauge their approach towards similar exemptions, to ensure that overall EU market conditions are not excessively distorted.

7.3 Assessment of compliance with the applicable essential requirements

The following essential requirements, laid down in Annex IV BR, must be met when granting an exemption:

- (a) Demonstration and maintenance of theoretical knowledge.
The acquisition and retention of theoretical knowledge must be demonstrated by continuous assessment and checks during training and, where appropriate, by examinations.
- (b) Demonstration and maintenance of practical skill.

An appropriate level of competence in practical skill must be maintained. Compliance must be demonstrated by regular assessments, examinations, tests or checks. The frequency of examinations, tests or checks must be proportionate to the level of risk associated with the activity.

When a flight simulation training device (FSTD) is used for training, or for demonstration that practical skills are maintained, this FSTD must meet a given level of performance in those areas which are relevant to completing the related tasks.

- (c) Language proficiency has to be possessed.
- (d) Instruction must be given by appropriately qualified instructors.
- (e) Examinations must be carried out by an appropriately qualified examiner.
- (f) Demonstration of medical fitness to satisfactorily execute their functions.

8. Job aid

The purpose of this job aid is to guide the NCA in fulfilling its responsibilities related to the handling of Article 71 BR requests and their follow-up, if granted.

In case of doubts, NCAs are welcome to seek EASA's advice through the relevant standardisation team leaders (country portfolio holders).

Step #	Operator	NCA
1 Request from operator	Submit the exemption request, detailing: <ol style="list-style-type: none"> 1. the existence of urgent unforeseeable circumstances or urgent operational needs; 2. the inability to adequately address those circumstances or needs in compliance with the applicable requirements; 3. how safety and compliance with the applicable essential requirements are ensured, through the application of adequate mitigation measures; 4. the exemption scope (including exempted requirements) and duration; 5. references to any previous exemption granted, related to the same scope. 	Verify that the operator submitted all pertinent information and supporting documentation. The assessment of the exemption request should start only when the complete package is received. <i>Note: the BR puts no time limit for the NCA to process the exemption. National administrative procedures may dictate otherwise.</i>

Step #	Operator	NCA
2 Assessment of needs	Address NCA's request for clarifications, which could result in the provision of supporting evidence linked to the urgent unforeseeable circumstances, urgent operational needs and the total or partial inability to meet the standard requirements set forth in the implementing rules.	Verify the validity of the operator's needs. The NCA should challenge the need for an exemption (see § 6). Such verification should determine whether an exemption is justified or not and, if yes, drive its scope and duration.
3 Assessment of mitigating measures	Address NCA's request for clarifications. The proposed mitigating measures should result from the application of the hazard identification and safety risk management process (risk assessment). After mitigation, compliance with essential requirements should be ensured. The risk of cumulative exemptions affecting crew competence should be addressed.	If the needs are justified, verify that the proposed mitigating measures, resulting from the risk assessment, are adequate in terms of pertinence and extent considering the operator's risk profile, the type of operations conducted and the training performed before applying for this exemption (see § 7).
4 Determination of scope and duration	Address the NCA's request for clarifications, especially for the evaluation of the use of previous exemptions by crew members.	Determine which requirements are affected and to whom and for how long an exemption will apply (see § 2 and 4). Such determination is linked to the assessment of the needs of the individual operator. The NCA should ensure that the exemption is limited, in scope and duration, to the extent strictly necessary and that it is applied in a non-discriminatory manner. Duration longer than 8 months (consecutive or repetitive) triggers the application of Article 71(2) BR. Previous "blanket" exemptions should be evaluated to verify the possibility to file an Article 71(1) for the persons or organisations subject to the new exemption (see § 2 and 5(c) of these Guidelines).
5 Mitigation of market distortion		Mitigate any possible distortion of market conditions as a consequence of granting the exemption, as far as possible (see § 7.2).

Step #	Operator	NCA
6 Granting the exemption	Publish temporary revisions of the applicable parts of the operations manual, detailing scope, applicable persons (if necessary) and duration of the exemption.	Grant the exemption in accordance with relevant administrative procedures.
		Approve relevant temporary amendments of the operations manual.
7 Notification	For the operator, it is irrelevant whether the exemption needs to be processed in accordance with Article 71(1) or Article 71(2) BR.	Upload the exemption in the EASA FlexTool as soon as possible, filling in all fields of the relevant form and submitting further documentation as necessary.
		If Article 71(2) BR applies, expect an EASA recommendation to the Commission without undue delay.
8 Verification of effective implementation	Plan and conduct safety and compliance monitoring audits.	Plan and conduct oversight activities on the use of exemption the effective implementation of agreed mitigating measures but also and the performance of the continuous hazard identification and safety risk management process.
	Re-evaluate the safety risk assessment if assumptions have changed or the verification of effective implementation showed issues.	

Graphic examples

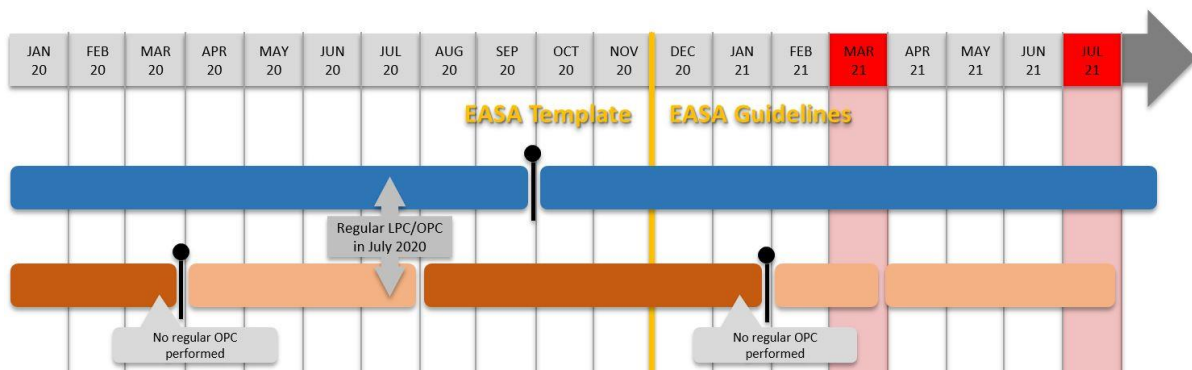
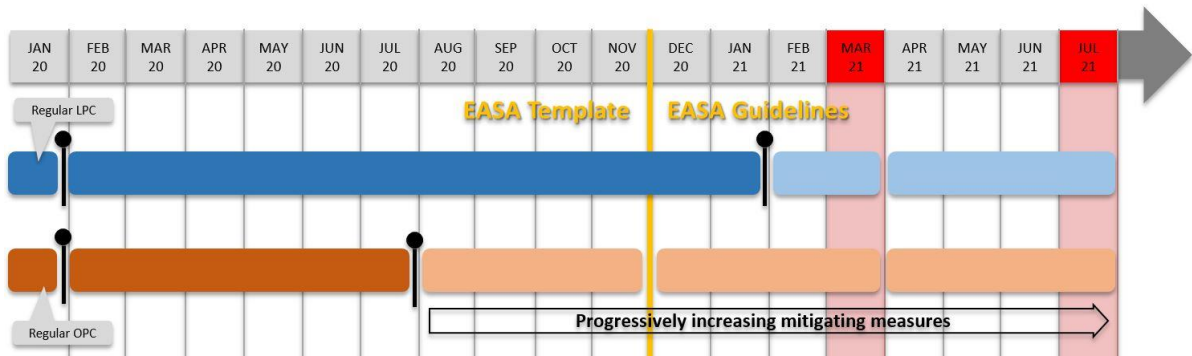
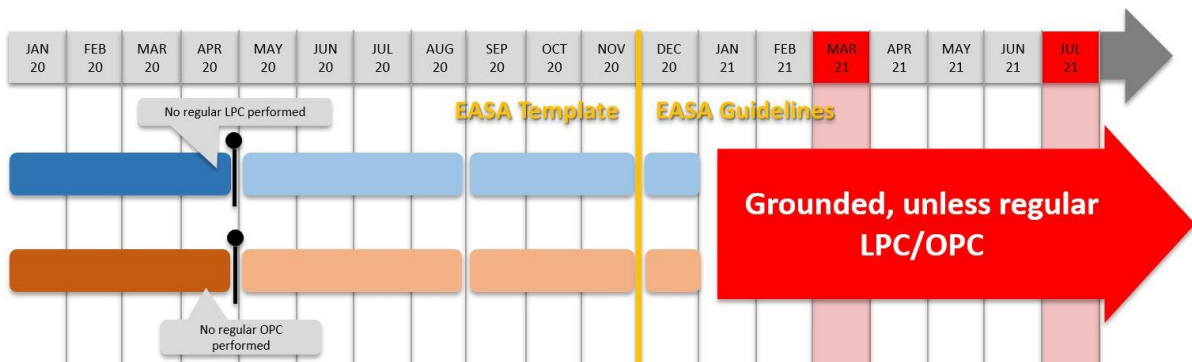
Regular expiry date

LPC – regular validity period

OPC – regular validity period

LPC – „grace“ period

OPC – „grace“ period



9. Information to be included in FlexTool notifications

NCA's should use the following standard text for the respective parts of exemption notifications (FlexTool) as per the scope of these Guidelines, as this will help EASA with processing these notifications:

(1) Title:

COVID-19 / 2W: Extension of crew training and checking

(2) Exemption requirements:

Related Regulation / Sub-part / Exemption requirements as indicated below, depending on whether there is a combination of OPS and FCL domains or not:

In case of OPS only or combined OPS/FCL:

Domain *

OPS - Air Operations

Exemption Requirements

Related Regulation *

Commission Regulation (EU) No 965/2012

Sub-part *

Part-ORO - Organisation Requirements for Air Operations

Exemption requirements *

ORO.GEN.110, ORO.FC.105, ORO.FC.130, ORO.FC.230, ORO.FC.235, ORO.FC.330, ORO.FC.A.245, ORO.CC.140 and ORO.TC.135.
SPA.DG.105(b) of Annex V (Part-SPA).

Regulation (EU) No 1178/2011, particularly:

(i) points FCL.740(b), FCL.625(c);

For the sake of clarity, exemptions for the aforementioned Part-FCL requirement can be considered only when both the candidate pilot and the instructor or examiner are employed by the same operator

(ii) FCL.940.CRI, FCL.940.SFI, FCL.940.TRI and FCL.1025 (solely in the context of CRE/SFE/TRE including senior examiners)

Please delete requirements not exempted

In case of FCL only:

Title *
Covid-19_2 : extension of validity periods of training and checking for crew members in CAT

Domain *
ACW - Aircrew

Exemption Requirements

Related Regulation *
Commission Regulation (EU) No 1178/2011

Sub-part *
Part-FCL - Flight Crew Licensing

Exemption requirements *
FCL.740(b), FCL.625(c);
For the sake of clarity, exemptions for the aforementioned Part-FCL requirement can be considered only when both the candidate pilot and the instructor or examiner are employed by the same operator
FCL.940.CRI, FCL.940.SFI, FCL.940.TRI and FCL.1025 (solely in the context of CRE/SFE/TRE including senior examiners)

Please delete requirements not exempted

(3) Type of operation:

CAT

(4) Entity(ies) concerned:

OPERATOR: Name/reference

Concerned entity *
Operator

Concerned entity details *
Operator XXXXXX AOC YYYYYY

NCA's are invited to contact EASA prior to granting an exemption which does not follow these Guidelines, for clarification and coordination purposes.

Exemptions on crew training and checking-Technical evaluation table

		Theoretical Ground training and checking (annual/triennial)	Practical elements of Ground training and checking (annual/triennial)	FSTD training and OPC	LPC validity period for individual pilot
Until end of July 2020	Generic exemption issued for 4 months	Refresher by any means	Refresher by any means	Refresher by any means	Refresher by any means New validity date 31.07.2020
August to November. 2020	Generic extension for additional 4 months.	No further actions	No further actions	No further actions	No further actions New validity date 31.11.2020
	Generic exemption issued for 8 months				
	Individual operator's extension granted for additional 4 months				
December 2020 to March 2021	Individual operator's extension granted for additional 4 months	No exemption	Additional training related to postponed practical elements, which may be repeated (videos, demos by trainer, etc.)	Additional training related to postponed Training (touch drills in the aircraft, computer based scenarios, etc.)	MAXIMUM EXTENSION OF THE VALIDITY PERIOD UP TO 8 MONTHS AFTER THE INITIAL EXPIRATION DATE With no further actions New validity date 31.03.2021
April to July 2021	Individual operator's extension granted for additional 4 months	No exemption	No further actions considering the potential repetition of the additional training (if applicable)	No further actions considering the potential repetition of the additional training (if applicable)	MAXIMUM EXTENSION OF THE VALIDITY PERIOD UP TO 8 MONTHS AFTER THE INITIAL EXPIRATION DATE With no further actions New validity date 31.07.2021