

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

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

Date of the Notification	2020-03-20
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Notifying State									
Member or Associated State / National Authority	CH								
Reference of the notification from the State	jom								
Contact Details of NAA	<table> <tr> <td>First name</td> <td>Micha</td> </tr> <tr> <td>Surname</td> <td>Joss</td> </tr> <tr> <td>E-mail</td> <td>micha.joss@bazl.admin.ch</td> </tr> <tr> <td>Phone</td> <td>0041796091390</td> </tr> </table>	First name	Micha	Surname	Joss	E-mail	micha.joss@bazl.admin.ch	Phone	0041796091390
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Exemption		
Title	Covid19 - outbreak: Additional extension of the Airworthiness Review Certificate validity when the aircraft is under controlled environment.	
Domain	CAW - Continuing Airworthiness	
Exemption Requirements	Related Regulation	Commission Regulation (EU) No 1321/2014
	Sub-part	Part-M - Continuing airworthiness requirements
	Exemption requirements	Regulation (EU) 1321/2014, particularly point M.A.901 (a) of Annex I (Part-M) or ML.A.901 (a) of Annex Vb (Part-ML), as applicable.
Repetitive Exemption	No, duration up to 8 months	
Duration of exemption	2020-03-20 to 2020-11-19	

Summary of the exemption	<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>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.</p> <p>If, towards the end of the 6-month period, the competent authority (CA) 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>	
Reasons for granting it	Urgent unforeseeable circumstances	<p>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>
	Urgent operational needs	<p>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>
Summary of mitigating measures	Safety, environmental protection	<p>A) Safety: In order to benefit from the Exemption the following mitigating measures must be complied with: (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 (a) of ML.A.903, as applicable, has been satisfactorily conducted.</p> <p>B) Environment: The circumstances and needs addressed by the exemption do not have an impact on environment.</p>
	Market distortion	<p>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.</p>
Type of Operation	N/A	



Non-approved change/repair	N/A
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Concerned Entity(ies)	
Concerned entity	Operator
Concerned entity details	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.
Product	N/A

Attached Documentation	
MS Original Granting Document	 Covid-19 Art71(1) Template Exemption ARC_ 19.03.2020 .pdf

