

NOTIFICATION FOR AIRCREW

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Extension of validity and other time periods for licences, ratings, privileges, endorsements and certificates of pilots, instructors and examiners, according to exemption provisions of Article 71 of Regulation (EU) 2018/1139, during the period from 01.12.2020 to 31.07.2021

Mention: This is a repetitive exemption, extending the previous ones granted by the Romanian Civil Aeronautical Authority based on Article 71(1) of Regulation (EU) 2018/1139 through the Report no 8321/30.03.2020 during the period from 30.03.2020 to 31.07.2020 and the Report no 18068/31.07.2020 during the period from 01.08.2020 to 30.11.2020.

In the context of the amplified second outbreaks of global COVID-19 pandemic, the Romanian Civil Aeronautical Authority has notified the European Union Aviation Safety Agency (EASA) and the Member States of its decision to grant exemptions based on Article 71 of Regulation (EU) 2018/1139, during the period from 01.12.2020 to 31.07.2021, regarding certain requirements of Regulation (UE) No 1178/2011, Regulation (EU) 2018/395 and Regulation (EU) 2018/1976 for the beneficiaries who submit to the Romanian Civil Aeronautical Authority justifiable information regarding the objective necessity of applying the exemption in the absence of alternatives.

The exempted requirements, the summary of the exemption and the mitigating measures are listed below.

Exempted requirements:

(a) Regulation (EU) No 1178/2011, particularly:

points FCL.025, FCL.625, FCL.725, FCL.740, FCL.805, FCL.810, FCL.940 and FCL.1025 of as well as point (1) of Section H of Appendix 3 and point (4) of Section A, point (3) of Section Aa, point (4) of Section B and point (4) of Section C of Appendix 6 to Annex I (Part-FCL);

(b) Regulation (EU) 2018/395, particularly:

points BFCL.135, BFCL.160, BFCL.200, BFCL.215 and BFCL.360 of Annex III (Part-BFCL);

(c) Regulation (EU) 2018/1976, particularly:

points SFCL.135, SFCL.155, SFCL.160, SFCL.205 and SFCL.360 of Annex III (Part-SFCL).

Summary of the exemption:

Subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field “Summary of mitigations”), with regard to applicants for as well as holders of licences, ratings, privileges, endorsements and certificates issued by the Romanian Civil Aeronautical Authority in accordance with Regulation (EU) No 1178/2011, Regulation (EU) 2018/395 and Regulation (EU) 2018/1976, all of the following shall apply:

- (a) The validity period or time period (as applicable) of all of the following is extended by four months or until 31 March 2021, whichever is the earlier:
- (1) class ratings, type ratings and instrument ratings endorsed in Part-FCL / Part-BFCL / Part-SFCL pilot licences;
 - (2) Part-FCL, Part-BFCL and Part-SFCL instructor and examiner certificates;
 - (3) recommendations for taking theoretical knowledge examinations, issued by a DTO or by an ATO in accordance with point FCL.025(a)(3) of Part-FCL, point BFCL.135(b)(3) of Part-BFCL and point SFCL.135(b)(3) of Part-SFCL;
 - (4) theoretical knowledge examinations for the purpose of licence issue as per points (c)(1) and (c)(2) of point FCL.025 of Part-FCL, point BFCL.135(d) of Part-BFCL and point SFCL.135(d) of Part-SFCL;
 - (5) the time periods specified in point FCL.725(c) of Part-FCL with regard to all the following:
 - (i) the time period between the commencement of the type rating training course and the pass of the skill test;
 - (ii) the time period between the pass of the skill test and the application for the issue of the class or type rating;
 - (6) the time period specified in all of the following:
 - (i) point (1) of Section H of Appendix 3 to Part-FCL;
 - (ii) points (4) of Section A, (3) of Section Aa, (4) of Section B and (4) of Section C of Appendix 6 to Part-FCL;
 - (iii) points (a)(1) and (b)(2) of point FCL.810;
- If, in March 2021, the competent authority considers that the reasons for granting this Exemption will still apply beyond March 2021, the validity period of the rating, privilege or certificate may be further extended for another period of four months or until 31 July 2021, whichever is the earlier.
- (b) In the case of the time period specified in point FCL.025 (b) (2) of Part-FCL, point BFCL.135(c) (2) of Part-BFCL and point SFCL.135(c)(2), that time period is extended by the time period that equals the time period during which an applicant was unable to access theoretical knowledge examinations for the reasons specified in this Exemption (see field “Reasons for granting it”).
- (c) Until 31 March 2021, for the application of the following requirements of Part-BFCL, the time period is extended as follows:
- (1) to the last maximum 32 months, in the case of all of the following:
 - (i) points (a)(1)(i), (a)(2) and (f)(1) of point BFCL.160 (balloon pilot recency);
 - (ii) point BFCL.215(d)(2) (commercial operation rating recency);
 - (2) to the last maximum 56 months, in the case of all of the following:
 - (i) point BFCL.160(a)(1)(ii) (balloon pilot recency);

- (ii) point BFCL.200(d) (recency for tethered balloon flight);
- (3) to the last maximum 300 days, in the case of point BFCL.215(d)(1) (commercial operation rating recency);
- (4) to the last maximum 3 years and 8 months, in the case of point BFCL.360(a)(1) (balloon instructor recency).

If, in March 2021, the competent authority considers that the reasons for granting this Exemption will still apply beyond March 2021, the arrangement of this paragraph may be further applied as long as necessary but no later than 31 July 2021.

- (d) Until 31 March 2021, for the application of the following requirements of Part-SFCL, the time period is extended as follows:

- (1) to the last maximum 2 years and 8 months, in the case of all of the following:
 - (i) point SFCL.155(c) (sailplane launching methods);
 - (ii) point SFCL.205(f) (sailplane towing or banner towing rating);
- (2) to the last maximum 32 months, in the case of points (a) and (b) of point SFCL.160 (sailplane pilot recency).
- (3) to the last maximum 3 years and 8 months, in the case of point SFCL.360(a)(1) (sailplane instructor recency).

If, in March 2021, the competent authority considers that the reasons for granting this Exemption will still apply beyond March 2021, the arrangement of this paragraph may be further applied as long as necessary but no later than 31 July 2021.

- (e) Until 31 March 2021, for the application of the following requirements of Part-FCL, the time period is extended as follows:

- (1) to the last maximum 32 months, in the case of point FCL.805 (e) (towing rating recency).

If, in March 2021, the competent authority considers that the reasons for granting this Exemption will still apply beyond March 2021, the arrangement of this paragraph may be further applied as long as necessary but no later than 31 July 2021.

- (f) When a person already made use of a particular exemption arrangement under the general exemption granted by the Romanian Civil Aeronautical Authority (references: 8321-30.03.2020 and 18068-31.07.2020) and the additional time period granted in respect of the applicable requirement:

- (1) in the case of the validity period of an instructor or examiner certificate:
 - (i) was less than twelve months, then that time period and the additional time period granted to that person under this exemption shall cumulatively not exceed twelve month;
 - (ii) was twelve months, then this exemption shall not be applied to that person;
- (2) in all other cases:
 - (i) was less than eight months, then that time period and the additional time period granted to that person under this exemption shall cumulatively not exceed eight months;
 - (ii) was eight months, then this exemption shall not be applied to that person.

If, in March 2021, the competent authority considers that the reasons for granting this Exemption no longer apply, this Exemption will be withdrawn.

Summary of Mitigating measures:

- (1) Holders of class ratings, type ratings or instrument ratings benefiting from points (a) of this exemption (see field “Summary of the exemption”) shall comply with all of the following:
 - (a) they shall hold, on the date of commencement of applicability of the Exemption, a valid relevant rating;
 - (b) they shall, during the application period of this Exemption, before exercising the privileges of their ratings in a flight mission, as often as necessary, have received a briefing from an instructor who holds relevant instructional privileges in order to refresh the required level of theoretical knowledge to safely operate the applicable class or type and to safely carry out the relevant manoeuvres and procedures, as applicable. That briefing shall include class – or type – specific abnormal and emergency procedures, as appropriate.
- (2) The successful completion of the briefing of the relevant rating, as per point (1)(b), shall be endorsed by the instructor in the logbook of the pilot.
- (3) Air operators where the holders of licenses issued in accordance with Part FCL / Part BFCL / Part SFCL, who benefit from this Exemption, exercise the privileges of their licenses and certificates in commercial flights, shall comply with all of the following:
 - (a) to identify the risks of using the respective personnel, through risk assessments;
 - (b) to issue additional means for monitoring their competence, depending on the results of the risk assessments;
 - (c) to apply risk mitigation measures through recurrent and refresher training specified in operational requirements.
- (4) Applicants for a licence, rating or certificate benefiting from point (a)(6) of this exemption (see field “Summary of the exemption”) shall have received additional training, if deemed necessary by the organization, in consultation with the CA.
- (5) Instructors and examiner certificate holders benefiting from point (a) of this exemption (see field “Summary of the exemption”) shall comply with all of the following:
 - (a) shall hold, on the date of commencement of applicability of the Exemption, a valid instructor and, if applicable, a valid examiner certificate.
 - (b) shall have received additional training, if deemed necessary by the organisation, in consultation with the RoCAA.
- (6) Holders of licences as per Part-FCL, Part-BFCL and Part-SFCL benefitting from point (c), (d) or (e) of this Exemption (see field “Summary of the exemption”) shall, during the application period of this Exemption, have received a briefing from an instructor who holds relevant instructional privileges in order to refresh the required level of theoretical knowledge to safely operate the applicable aircraft and to carry out the relevant manoeuvres and procedures, as applicable. That briefing shall include specific abnormal and emergency procedures, as appropriate to the category, class and type of aircraft as well as to the relevant kind of privileges, as applicable. The successful completion of the above specified briefing, shall be endorsed in the flight log of the pilot by the instructor and the organization will issue the attached form.