

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

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

<b>Date of the Notification</b>	2020-05-22
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Notifying State		
<b>Member or Associated State / National Authority</b>	IT	
<b>Reference of the notification from the State</b>	IAW/CAW 2020-03	
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Exemption		
<b>Title</b>	Covid19 – outbreak: Measures decided by ENAC Italy in order to address transition to regulation (EU) 2019/1383 and (EU) 2020/270, and considering COVID-19 crisis.	
<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>	Articles 3, 4, 5 and 6 of Regulation (EU) No 1321/2014, as amended by Regulation (EU) No 2019/1383 and Regulation (EU) 2020/270 (hereinafter “the Continuing Airworthiness Regulation”), as applicable from 24 March 2020.
<b>Repetitive Exemption</b>	No, duration up to 8 months	
<b>Duration of exemption</b>	2020-03-24 to 2020-06-24	

<b>Summary of the exemption</b>	<p>Recognition of validity of documents issued from the 24th of March 2020 until the 24th of June 2020, in accordance with Regulation (EU) No 1321/2014 as applicable on 23 March 2020 : any document issued (e.g. Form 1, ARC, Certificate of Recognition, Maintenance program approval) between the 24th of March and the 24th of June 2020, and conform to (EU) 1321/2014 as applicable on the 23rd of March 2020, is considered valid and shall be considered acceptable within the scope of (EU) 1321/2014 as applicable from the 24th of March 2020.</p>	
<b>Reasons for granting it</b>	<b>Urgent unforeseeable circumstances</b>	<p>The regulation (EU) 1321/2014 of the Commission of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks has been amended by regulations (EU) 2019/1383 and (EU) 2020/0270. Those regulatory evolutions modify Part M and implement newly Part ML, Part CAO and CAMO, as from the 24th of March 2020.</p> <p>Several Member States had asked the Commission to postpone the applicability date of those regulations. The main argument was the late availability of means of compliance that were needed to implement the new regulation. The COVID-19 crisis had increased the need for a common postponement.</p> <p>Eventually, on the 16th of April, the EASA Committee members were informed that the Commission will not amend the implementing act to retroactively postpone the applicability date.</p> <p>Considering uncertainties related to applicability date of those regulations modification, from the 24th of March, some organisations may have issued documents compliant with (EU) 1321/2014 in its version applicable as it was on 23rd March 2020. The ENAC does not request to update those documents in order to conform to requirement applicable from 24th March 2020.</p>
	<b>Urgent operational needs</b>	<p>As a result of the extreme operational and resource constraints caused by the COVID-19 outbreak, in particular the people movements ban which has been being progressively relieved by Italian Government and could be lifted up on the 3rd of June 2020 unless, in the meantime, adverse indications showed up that suggest to do otherwise, it is considered adequate to grant extra time until the 24th of June 2020 to relevant organisations and people in order to allow them to resume activities up to the expected standards and ensure documents conforming to the applicable regulation are properly issued from the 25th of June 2020.</p>

<b>Summary of mitigating measures</b>	<b>Safety, environmental protection</b>	<p><b>Safety :</b></p> <p>It is considered that there is no safety issue associated with the recognition of validity of documents issued from the 24th of March 2020 until the 24th of June 2020, in accordance with Regulation (EU) No 1321/2014 as applicable on 23rd March 2020 at National level, since the system of exemption allowed by the Commission to provide flexibility for the Member States concerning the applicability date of regulations (EU) 2019/1383 and (EU) 2020/270, will allow the same recognition between Member States.</p> <p><b>Environmental Protection:</b></p> <p>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>	Organisation
<b>Concerned entity details</b>	Any person or organisation subject to regulation (EU) 1321/2014 and for which ENAC is the competent authority, i.e.: Organisations approved in accordance with Subpart F and Subpart G of Annex I (Part-M), Annex II (Part-145), Annex IV (Part-147) to Regulation (EU) No 1321/2014, Aircraft operators, Aircraft owners, aircraft maintenance licence holders and applicants, certifying staff, airworthiness review staff.
<b>Product</b>	N/A

<b>Attached Documentation</b>	
<b>MS Original Granting Document</b>	 <a href="#">IAW/CAW 2020-03, Flexibility provision iaw 71(1) reg. (EU) 2018/1139 (24.03.2020 - 24.06.2020), art.3,4,5 and 6</a>

