

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

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

Date of the Notification	2020-09-30
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Notifying State									
Member or Associated State / National Authority	IT/ENAC								
Reference of the notification from the State	IAW/CAW 2020-04								
Contact Details of NAA	<table> <tr> <td>First name</td> <td>Carmela</td> </tr> <tr> <td>Surname</td> <td>Tripaldi</td> </tr> <tr> <td>E-mail</td> <td>c.tripaldi@enac.gov.it</td> </tr> <tr> <td>Phone</td> <td>+39 3204781160</td> </tr> </table>	First name	Carmela	Surname	Tripaldi	E-mail	c.tripaldi@enac.gov.it	Phone	+39 3204781160
First name	Carmela								
Surname	Tripaldi								
E-mail	c.tripaldi@enac.gov.it								
Phone	+39 3204781160								

Exemption	
Title	Covid19 – outbreak: Postponement of applicability date of amendment to Regulation (EU) 1321/2014 introduced with Reg. (EU) 2018/1142
Domain	CAW-Continuing Airworthiness
Exemption Requirements	Related Regulation Commission Regulation (EU) No 1321/2014
	Sub-part Cover Regulation Part-CAO
	Exemption requirements Point 2(b) of Article 2 of Regulation (EU) No 2018/1142 and CAO.A.40(a) of Regulation (EU) 1321/2014, as amended, as applicable from 1 October 2020.
Repetitive Exemption	No, duration up to 8 months
Duration of exemption	2020/10/01 to 2020/01/31
Summary of the exemption	<p>Regulations (EU) 2018/1142 amending the Continuing Airworthiness Regulation introduced new rules for Aircraft Maintenance Licence including a new category/subcategory to exercise maintenance privileges on Sailplanes, Powered Sailplanes, Balloons and Airships. However, the COVID-19 outbreak has resulted in drastic restrictions that may prevent regulated persons from effectively implementing these new requirements. Accordingly, this exemption allows to temporarily continuing exercising privileges based on former Article 5 of Regulation (EU) 1321/2014 that states national qualifications apply.</p> <p>In view of the above IT-ENAC has decided that, subject to fulfilling the applicable mitigating conditions as specified in this Exemption (see field “Summary of mitigating measures”), all of the following shall apply:</p>

	<p>a) By way of derogation from Point 2(b) of Article 2 of Regulation (EU) No 2018/1142 and CAO.A.40(a) of Regulation (EU) 1321/2014, as amended, for Sailplanes, Powered Sailplanes and Balloons, the requirement for certifying staff to be qualified in accordance with Annex III (Part-66) laid down in point M.A.606(g) of Annex I (Part-M), in point CAO.A.40(a) of Annex Vd (Part-CAO) and in point 145.A.30(g) and (h) of Annex II (Part-145) shall apply from 1 February 2021;</p> <p>b) Certifying staff employed by organisations involved in the maintenance of Sailplanes, Powered Sailplanes, Balloons have permission to continue to Release to Service such aircrafts holding CIT (Certificato di Idoneità Tecnica) as national qualification issued in accordance with Regolamento Tecnico ENAC Quarto/41/B until 31 January 2021.</p>	
Reasons for granting it	Urgent unforeseeable circumstances	The COVID-19 outbreak has resulted in drastic restrictions, which may prevent the proper implementation of the revised Annexes to Regulation (EU) No 1321/2014 amended by Regulations (EU) 2018/1142, and applicable as of 1 October 2020.
	Urgent operational needs	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 to ensure business continuity, when the said circumstances are notified to the Competent Authority by the person or organisation involved in the continuing airworthiness including maintenance of aircraft different from airplanes and helicopters.
Summary of mitigating measures	Safety, environmental protection	<p>Safety :</p> <ol style="list-style-type: none"> I. Certifying Staff employed by maintenance oraganisations shall hold national qualification issued in accordance with Regolamento Tecnico ENAC Quarto/41/B (Certificato di Idoneità Tecnica). II. At the end of the duration of this exemption, that is by 31 January 2021, these persons and organisations must ensure compliance with Regulation (EU) No 1321/2014, as amended. <p>Environmental Protection: The circumstances and needs addressed by the exemption do not have an impact on environment.</p>
	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.
	Essential requirements:	Not applicable.
Type of Operation	Not applicable.	
Non-approved change/repair	Not applicable.	

Concerned Entity(ies)	
Concerned entity	<ul style="list-style-type: none">Organisations approved in accordance with Subpart F of Annex I (Part-M), Annex II (Part-145), Annex Vd (Part-CAO) to Regulation (EU) No 1321/2014Aircraft maintenance licence applicants, certifying staff
Concerned entity details	Not applicable.
Product	Not applicable.

