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Dato: 09-04-2021  
Sagsnr.: TS3000116-00182

**Exemption under Article 71 (2) of Regulation 2018/1139 in respect of COVID-19 / 2W: Extension of validity periods and other time periods for aircrew**

The Danish Civil Aviation and Railway Authority hereby grants the following exemption pursuant to Article 71 (2) of Regulation 2018/1139.

Entity <i>Virksomhed</i>	Holders of licenses, ratings, privileges, endorsements and certificates issued by The Danish Civil Aviation and Railway Authority in accordance with the Regulations specified below in the field "Exempted requirements".
Date of the request by the concerned entity <i>Dato for virksomhedens anmodning</i>	N/A
Exempted requirements <i>Kravene, der dispensers fra</i>	<b>Regulation (EU) No 1178/2011</b> , particularly: <ul style="list-style-type: none"><li>- points FCL.025, FCL.055, FCL.140.A, FCL.140.H, FCL.130.S, FCL.140.S, FCL.130.B, FCL.140.B, FCL.220.S, FCL.230.S, FCL.220.B, FCL.230.B, FCL.940 and FCL.1025 of as well as point (1) of Section H of Appendix 3 to Annex I (Part-FCL)</li></ul> <b>Regulation (EU) 2018/395<sup>1</sup></b> , particularly points BFCL.135, BFCL.160, BFCL.200, BFCL.215 and BFCL.360 of Annex III (Part-BFCL)

<sup>1</sup> Exemptions to Regulation (EU) 2018/395 are relevant only if Part-BFCL applies.

	<b>Regulation (EU) 2018/1976<sup>2</sup></b> , particularly points SFCL.135, SFCL.155, SFCL.160, SFCL.205, SFCL.215 and SFCL.360 of Annex III (Part-SFCL)
<p>Purpose of the exemption</p> <p><i>Formålet med dispensationen</i></p>	<p>The continued applicability of mandatory health safety measures, including related travel restrictions, imposed by health authorities of the Member State (physical distancing) as well as the closure of borders may result in the impossibility for pilots to maintain their recent experience related to their privileges, holders of instructor or examiner certificates who are required to perform an assessment of competence to re-validate their instructor or examiner privileges in order to continue to exercise their training and checking privileges are not able to timely reach or gain access to aircraft or FSTDs to complete the necessary assessment of competence and applicants for the issue of a licence or an instrument rating are not able to timely reach the competent authority to complete theoretical knowledge examinations within the time periods specified in relevant points. In such cases, the continued use of Article 71 BR is deemed justified.</p>
<p>Conditions of the exemption</p> <p><i>Betingelserne for dispensationen</i></p>	<p><b><u>General conditions for applying:</u></b></p> <p>When a person already made use of a particular exemption arrangement under the general exemption granted by The Danish Civil Aviation and Railway Authority (reference: TS3000116-00182 and AIC B 06/20 and AIC B 11/20) and the additional time period granted in respect of the applicable requirement:</p> <p>(1) in the case of the validity period of an instructor or examiner certificate: (i) was less than 12 months, then that time period and the additional time period granted to that person under this exemption shall cumulatively not exceed 12 months;</p> <p>(ii) was 12 months, then this exemption shall not be applied to that person;</p>

<sup>2</sup> Exemptions to Regulation (EU) 2018/1976 are relevant only if Part-SFCL applies.

	<p>(2) in all other cases: (i) was less than 8 months, then that time period and the additional time period granted to that person under this exemption shall cumulatively not exceed 8 months;</p> <p>(ii) In the case of validity periods of theoretical knowledge examinations, the time period can exceed 8 months in some cases</p> <p><b>The validity period of all of the following is extended as follows:</b></p> <p>(1) by 12 months or until 31 July 2021, whichever period of time is shorter, in the case of validity periods or time periods, as applicable, in the case of Part-FCL instructor and examiner certificates;</p> <p>(2) by 8 months or until 31 July 2021, whichever period of time is shorter, in the case of validity periods in the case of theoretical knowledge examinations for the purpose of license issue as per point FCL.025 and points BFCL.135 of Part-BFCL and point SFCL.135 of Part-SFCL; <i>in some cases, it will be possible to extend the validity period beyond 31 July 2021. This however will be decided on a case-by-case basis by The Danish Civil Aviation and Railway Authority.</i></p> <p>(3) by 8 months or until 31 July 2021, whichever period of time is shorter, in the case of evaluation periods in points (c)(1) and (c)(2) of point FCL.055 of Part-FCL</p> <p><b>For the application of the following recency requirements of Part-FCL to Regulation (EU) No 1178/2011 and Part-SFCL to Regulation (EU) No 2018/1976</b></p> <p>Until 31 July 2021 the time period is extended as follows:</p> <p>(1) to the last 2 years and 8 months, in the case of point FCL.140.A(a) (LAPL(A) recency), SFCL.155, SFCL.205 and SFCL.215;</p> <p>(2) to the last 20 months, in the case of point FCL.140.H (LAPL(H) recency);</p> <p>(3) to the last 32 months, in the case of point FCL.130.B,</p>
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	<p>FCL.140.B, FCL220.B, FCL.230.B, FCL.805 and FCL.830;</p> <p>(4) to the last 30 months, in the case of point SFCL.160</p> <p>(5) to the last 3 years and 8 months, in the case of point SFCL.360</p> <p><b>For the application of the following recency requirements of Part-BFCL to Regulation (EU) No 2018/395</b></p> <p>Until 31 July 2021 the time period is extended as follows:</p> <p>(1) to the last 30 months, in the case of all of the following:</p> <p>(i) points (a)(1)(i), (a)(2) and (f)(1) of point BFCL.160 (balloon pilot recency);</p> <p>(ii) point BFCL.215(d)(2) (commercial operation rating recency);</p> <p>(2) to the last 32 months, in the case of all of the following:</p> <p>(i) point BFCL.160(b)</p> <p>(3) to the last 56 months, in the case of all of the following:</p> <p>(i) point BFCL.160(a)(1)(ii) (balloon pilot recency);</p> <p>(ii) point BFCL.200(d) (recency for tethered balloon flight);</p> <p>(4) to the last 300 days, in the case of point BFCL.215(d)(1) (commercial operation rating recency);</p> <p>(5) to the last 3 years and 8 months, in the case of point BFCL.360(a)(1) (balloon instructor recency).</p>
<p>Mitigating measures, if any</p> <p><i>Mitigerende foranstaltninger</i></p>	<p><b><u>In all cases, the following applies:</u></b></p> <ul style="list-style-type: none"> <li>• "Exemption" is only given if it can be documented that COVID-19 is the reason why revalidation cannot be made.</li> <li>• "Exemption" is only given for instructor/examiner ratings, certificates and endorsements that are valid, or have not been expired for a period exceeding 30 days.</li> </ul> <p><b><u>Applicants</u></b></p> <p>Applicants for a licence, rating or certificate benefiting from this exemption shall have received additional training, if deemed necessary by the ATO or the DTO, in consultation with the CA.</p>

	<p><b><u>Instructors:</u></b></p> <p>To extend the validity of instructor ratings and certificates, refresher training and other mitigating measures are not a requirement.</p> <p>The instructor must contact an examiner acting in accordance with FCL.1030 who must verify that the instructor certificate is valid, and hereafter the examiner can extend the certificate.</p> <p><b><u>Examiners:</u></b></p> <p>To extend the validity of examiner ratings and certificates, refresher training and other mitigating measures are not a requirement.</p> <p>Only The Danish Civil Aviation and Railway Authority can extend examiner certificates.</p> <p>Applications shall be addressed to Senior Examiner Morten Keller:</p> <p><a href="mailto:info@trafikstyrelsen.dk">info@trafikstyrelsen.dk</a></p>
<p>Validity</p> <p><i>Gyldighed</i></p>	<p>This exemption shall have effect from 31 March 2021 until 31 July 2021 unless revoked.</p>

**For the Danish Civil Aviation and Railway Authority**



Rasmus Damm  
 Head of Flight Crew Licensing Section  
 9 April 2021