

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

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

Date of the Notification	2020-04-28
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Notifying State									
Member or Associated State / National Authority	LU								
Reference of the notification from the State	2020 - 97241								
Contact Details of NAA	<table> <tr> <td>First name</td> <td>Mirjam</td> </tr> <tr> <td>Surname</td> <td>Huizer</td> </tr> <tr> <td>E-mail</td> <td>mirjam.huizer@av.etat.lu</td> </tr> <tr> <td>Phone</td> <td>(+352) 24774996</td> </tr> </table>	First name	Mirjam	Surname	Huizer	E-mail	mirjam.huizer@av.etat.lu	Phone	(+352) 24774996
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Surname	Huizer								
E-mail	mirjam.huizer@av.etat.lu								
Phone	(+352) 24774996								

Exemption		
Title	Covid19 - outbreak: Deferral of full implementation of new licensing requirements for balloon pilots.	
Domain	BALL - Balloons	
Exemption Requirements	Related Regulation	Commission Regulation (EU) 2018/395
	Sub-part	Part-BFCL
	Exemption requirements	<ul style="list-style-type: none"> - Articles 3a, 3b and 3c of Regulation (EU) 2018/395, as amended by Regulation (EU) 2020/357 (hereinafter "the Balloon Regulation") - Appendix I of Annex VI (Part-ARA) to Regulation (EU) 1178/2011 as applicable as from 8 April 2020
Repetitive Exemption	No, duration up to 8 months	
Duration of exemption	2020-04-27 to 2020-08-08	

Summary of the exemption	<p>The Direction de l'Aviation Civile will defer from the requirements of the Balloon Regulation and Regulation (EU) No 1178/2011 as follows:</p> <p>(a) Until 7 August 2020, applicants for balloon pilot licences are entitled to be issued with a licence in accordance with Appendix I to Annex VI (Part-ARA) to Regulation (EU) No 1178/2011, as in force before 8 April 2020 (Part-FCL licence).</p> <p>(b) By way of derogation from Article 3a and Article 3b(1) of the Balloon Regulation, Part-FCL balloon pilot licences issued before 8 August 2020 will be deemed to have been issued in accordance with the requirements of the Balloon Regulation.</p> <p>(c) By way of derogation from Article 3a and Article 3c(1) of the Balloon Regulation, applicants for a Part-BFCL balloon pilot licence whose training, in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, commenced prior to 8 August 2020 are permitted to have that training credited in full, provided that the BPL is issued by 8 August 2021 at the latest.</p> <p>(d) For Part-FCL balloon pilot licences issued in accordance with points (a) or (b) above, paragraph 1 and 2 of Article 3b of the Balloon Regulation apply accordingly.</p>	
Reasons for granting it	Urgent unforeseeable circumstances	The COVID-19 outbreak has resulted in drastic travel restrictions and closure of borders between a majority of States. The competent authority needs to use its resources in order to administer the numerous impacts of this situation on the aviation system and therefore, for the time being, does not have the capability to timely implement Part-BFCL.
	Urgent operational needs	A modified application of the transitional provisions related to Part-BFCL, particularly of extended transitional time periods, allows the competent authority to concentrate its resources for handling the COVID-19 outbreak and to focus on the full implementation of Part-BFCL at a later stage.
Summary of mitigating measures	N/A	
Type of Operation	N/A	
Non-approved change/repair	N/A	

Concerned Entity(ies)	
Concerned entity	Operator
Concerned entity details	Holders of balloon pilot licences as well as training organisations for these licences
Product	N/A

Attached Documentation	
MS Original Granting Document	 Deferral of full implementation of new licensing requirements for balloon pilots.pdf

