



## EXEMPTION NUMBER – BCAA-Exemptions-FCL-2020-05

**Date:** 18th November 2020

**Subject:** Covid 19 outbreak: Extension of validity and other time periods for licences, ratings, privileges, endorsements and certificates of pilots, instructors and examiners

**Valid until:** 31 July 2021

**The Civil Aviation Authority of Belgium and pursuant to article 71(2) of Regulation (EU) No. 2018/1139, grants an exemption for the following requirements:**

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

- points FCL.025, FCL.055, FCL.140.A, FCL.140.H, FCL.625, FCL.725, FCL.740, FCL.735.A, FCL.735.H, FCL.805, FCL.810, FCL.815, FCL.825, FCL.830, FCL.915, FCL.940 and FCL.1025 of as well as point (1) of Section H of Appendix 3 to Annex I (Part-FCL)

**Regulation (EU) 2020/357**, particularly

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

**Regulation (EU) 2020/358**, particularly

- points SFCL.135, SFCL.155, SFCL.160, SFCL.205, SFCL.215 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 mitigating measures"), with regard to applicants for as well as holders of licences, ratings, privileges, endorsements and certificates issued by Belgium in accordance with Regulation (EU) No 1178/2011, including associated medical certificates, all of the following shall apply:

**(a) Licences, ratings, and certificates issued in accordance with Annex I (Part-FCL), and Annex IV (Part-MED) to Regulation (EU) No 1178/2011**

The validity period of all of the following is extended as follows:

- (1) by **4 months or until 31 March 2021**, whichever period of time is shorter, in the case of validity periods of all of the following:
- (i) class ratings, type ratings and instrument ratings endorsed in Part-FCL pilot licences the holders of which are not involved in the operation of aircraft representing those classes and types within an organisation for which Annex III (Part-ORO) to Regulation (EU) No 965/2012 is applicable;
  - (ii) mountain ratings;

If, in March 2021, the BCAA 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.

- (2) by **8 months or until 31 March 2021**, whichever period of time is shorter, in the case of validity periods or time periods, as applicable, of all of the following:
- (i) language proficiency endorsements as per point FCL.055 of Part-FCL;
  - (ii) Part-FCL instructor and examiner certificates;
  - (iii) 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;
  - (iv) 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;
  - (v) the time periods specified in point FCL.725(c) of Part-FCL with regard to all of the following:
    - (A) the time period between the commencement of the type rating training course and the pass of the skill test;
    - (B) the time period between the pass of the skill test and the application for the issue of the class or type rating;
  - (vi) the time period specified in all of the following, provided that the regular time period ended during the application period of this Exemption:
    - (A) point FCL.735.A(b);
    - (B) point FCL.735.H(b);
    - (C) point (1) of Section H of Appendix 3 to Part-FCL;
    - (D) points (a)(1) and (b)(2) of point FCL.810;
    - (E) point FCL.815(b);
    - (F) point FCL.825(c);

- (3) 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) of Part-SFCL, that time period is extended by 4 months.

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.

**(b) For the application of all of the following recency requirements of Part-FCL to Regulation (EU) No 1178/2011**

The time period is extended as follows, but not later than 31 March 2021:

- (1) to the last 2 years and 8 months, in the case of point FCL.140.A(a) (LAPL(A) recency);
- (2) to the last 20 months, in the case of point FCL.140.H (LAPL(H) recency);
- (3) to the last 32 months, in the case of all of the following:
  - (i) points FCL.130.S(c) and FCL.220.S (sailplane launching methods);
  - (ii) points (a) and (b)(1) of point FCL.140.S as well as point FCL.230.S (sailplane pilot recency);
  - (iii) points FCL.130.B(c) and FCL.220.B (recency for tethered balloon flight);
  - (iv) points FCL.140.B and FCL.230.B(a) (balloon pilot recency);
  - (v) point FCL.805(e) (towing rating recency);
  - (vi) point FCL.830(d) (sailplane cloud flying recency);
- (4) to the last 20 months, in the case of point FCL.915 (e) (2) (FCL 745.A instructors 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.

**(c) For the application of all of the following recency requirements of Part-BFCL to Regulation (EU) 2020/357**

The time period is extended as follows, but not later than 31 March 2021:

- (1) to the last 30 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 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 300 days, in the case of point BFCL.215(d)(1) (commercial operation rating recency);
- (4) to the last 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) For the application of all of the following recency requirements of Part-SFCL to Regulation (EU) 2020/358**

The time period is extended as follows, but not later than 31 March 2021:

- (1) to the last 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);
  - (iii) point SFCL.215(e) (sailplane cloud flying rating);
- (2) to the last 30 months, in the case of points (a) and (b) of point SFCL.160 (sailplane pilot recency).
- (3) to the last 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.

**When a person already made use of a particular exemption arrangement under the general exemption granted by BCAA reference 2020-01 and the additional time period granted in respect of the applicable requirement:**

**(1) in the case of the validity period of class ratings, type ratings, instrument ratings and mountain ratings:**

**(i) was less than four months, then that time period and the additional time period granted to that person under this exemption shall cumulatively not exceed four months;**

**(ii) was four 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.**

**Summary of mitigating measures:**

**(1) Holders of class ratings, type ratings, instrument ratings, mountain ratings or language proficiency endorsements** benefiting from point (a) of this exemption (see field "Summary of the exemption") shall comply with all of the following:

(a) they shall hold a valid relevant rating and, if applicable, a valid language proficiency endorsement;

(b) they 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 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) Upon successful completion of the briefing as per point (b), the new expiry date of the relevant rating and, if applicable, the language proficiency endorsement, shall be indicated by using the following method:

It shall be endorsed by the instructor or the examiner in an attachment to the licence of the pilot. In this case the document "ATTACHMENT TO PART-FCL LICENCES DELIVERED BY BELGIUM" must be completed.

- (3) **Instructors and examiner certificate holders** benefiting from point (a) of this exemption (see field "Summary of the exemption") shall hold a valid instructor and, if applicable, a valid examiner certificate.

The new expiry date shall be endorsed in case of instructor certificate by the examiner and in case of the examiner certificate by the senior examiner, in an attachment to the licence of the pilot. In this case the document "ATTACHMENT TO PART-FCL LICENCES DELIVERED BY BELGIUM" must be completed.

- (4) **Applicants for a licence, rating or certificate** benefiting from point (a)(2)(vi) of this exemption (see field "Summary of the exemption") shall have received additional training, if deemed necessary by the ATO or the DTO.

- (5) **Holders of licences as per Part-FCL, Part-BFCL and Part-SFCL** benefitting from point (b), (c) or (d) 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 instructor will provide the holder of the licence benefiting from this exemption with a statement of completion of the training.

The Director General of the Belgian CAA,  
Koen MILIS