

AIRWORTHINESS EXEMPTIONS

1. Introduction

Regulations 98 of the Civil Aviation (Safety) Regulations, 2017 states that the Authority may, after taking into account all safety-related aspects, operating circumstances and associated risks, exempt from any of these regulations or directives issued in accordance with these regulations, an aircraft or a person or class of aircraft or persons, either absolutely or subject to conditions as it thinks fit.

2. Application for An Exemption

A written request from an operator for an Exemption from any of the requirements prescribed in the regulations or associated technical standard must be accompanied by a risk assessment.

All requests for an Exemption must be supported by justification for making the request including the reasons why compliance with a particular requirement is impracticable or temporarily inappropriate. The applicant must also indicate to the Authority the means by which an acceptable level of safety can be maintained and risk mitigated.

The grant of an Exemption constitutes a "legal finding" and, as such, is the privilege of the Authority.

The Authority will only consider requests for exemptions in situations that are genuinely unforeseen and where there is no other possible option.

The Authority will not consider any request for Exemption on any issues that could have reasonably been foreseen and addressed by an alternative course of action at the appropriate time or a means of circumventing the law for commercial expediency or alleviate against non-compliances.

3. Effectivity

This Notice becomes effective from the 28th March 2018.