



Miscellaneous

No: 1490

UK Regulation (EU) No 1178/2011

Publication date: 24 May 2021

General Exemption E 5450

Holders of FAA Pilot Licences who are Permanently Residing in the United Kingdom and Exercising Private Licence Privileges based on a licence issued by the United States of America within United Kingdom airspace

Background

1. As of 20 June 2021, Article 12(4) of UK Regulation (EU) No 1178/2011 (the UK Aircrew Regulation) no longer applies. Article 12(4) has to date provided the legal means to apply a derogation against Article 3 of the Aircrew Regulation, as applied in scope by Article 2(1)(b)(i) of UK Regulation (EU) 2018/1139 (the UK Basic Regulation). The use of the derogation had been allowed for the progression of a Bilateral Aviation Safety Agreement between the EU and the USA, but any agreement between the EU and the USA in this respect will not apply to the United Kingdom.
2. This exemption is being issued taking into account the urgent unforeseeable circumstances caused by the disruption due to the Covid-19 outbreak, which have prevented conversion of the Federal Aviation Administration (FAA) Airman Certificate to a UK licence and to assist those individuals who have not yet converted their Federal Aviation Administration (FAA) Airman Certificate to a UK licence, allowing additional limited time to complete the process.

Interpretation

3. In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced as "UK Regulation (EU) year/number" or "UK Regulation (EU) No. number/year".

Exemption

4. The Civil Aviation Authority, pursuant to Article 71(1) of UK Regulation (EU) 2018/1139, due to urgent unforeseeable circumstances as a result of the current pandemic, exempts pilots permanently residing in the UK and operating aircraft private privileges only (non-commercial operations) and who hold a valid FAA Airman Certificates, from Article 3 of UK Regulation (EU) No 1178/2011, until 21 December 2021 subject to the conditions stated at paragraph 5 and paragraph 6.