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**Subject:** Targeted exemptions (TEs) with respect to the equipage requirement for twenty-five hour recording duration for cockpit voice recorder (CVR) in Annex 6, Parts I and II

**Action required:** a) Note the information; b) inform ICAO about any CVR TE as provided in paragraph 7 a); c) indicate acceptance of CVR TEs granted by another State as requested in paragraph 7 b)

Sir/Madam,

1. I have the honour to refer to State letter AN 11/6.3.32 and AN 11/6.3.31-20/123 dated 17 November 2020 regarding the adoption of Standards related to the equipage requirements for twenty-five hour recording duration for cockpit voice recorder (CVR) in Annex 6 – *Operation of Aircraft, Part I – International Commercial Air Transport – Aeroplanes* and Part II – *International General Aviation – Aeroplanes*. In accordance with Annex 6, Parts I and II, all aeroplanes of a maximum certificated take-off mass of over 27 000 kg, for which the individual certificate of airworthiness is first issued on or after 1 January 2022, shall be equipped with a CVR which shall retain the information recorded during at least the last twenty-five hours of its operation.

2. ICAO has been made aware that due to the COVID-19 pandemic which has negatively impacted aircraft manufacturers, flight recorder system equipment manufacturers, audio system equipment manufacturers and sub-tier suppliers to equipment manufacturers, some aircraft manufacturers will be unable to meet the certification of equipment for some aircraft by the date provided in paragraph 1 above.

3. The eighth meeting of the ICAO Airworthiness Panel (AIRP/8) held from 8 to 12 November 2021 considered the issue and agreed that the delay in meeting the requirement in Annex 6, Parts I and II would not render the certificate of airworthiness invalid. Furthermore, the AIRP agreed that States could consider issuing a targeted exemption (TE) to this requirement. In this regard, a review was conducted, and ICAO determined that the TE system could be used for this purpose since the issue arises as a result of the COVID-19 pandemic and it facilitates States in need to meet their obligation under the *Convention on International Civil Aviation*.

4. A TE in respect of the equipage requirement for twenty-five hour recording duration for CVR (CVR TE), if granted, would need to be submitted by the State of the Operator concerning the affected aeroplanes and their air operators under Annex 6, Part I and by the State of Registry in respect of affected aeroplanes that are operated under Annex 6, Part II. In addition, States are encouraged to use the TE System to identify whether the TE in respect of this equipage requirement granted by an issuing State is acceptable within their territory.

5. States are reminded that the TE system was launched, inter alia, to provide a structured approach to the notification and dissemination of State-issued temporary exemptions that are tightly scoped, and time limited to a specified subset of Standards granted as a result of the COVID-19 pandemic. They represent a temporary transitional option for States as they move back from reliance on the use of alleviations towards compliance with the Standards and Recommended Practices (SARPs) (State letter AN 11/55-21/27 dated 31 March 2021 refers).

6. States are reminded that, outside of the limited set of Standards included in the TE system, all efforts to resume international operations should be made in compliance with existing requirements and procedures. For example, States allowing extended flight and duty times for crew to support operations must do so based on an approved operator-provided risk assessment as required by Annex 6, Part I. As another example, for carriage of cargo in the passenger cabin, any modifications performed should be accomplished in accordance with existing State processes and comply with the appropriate airworthiness requirements in force for that aircraft. Additional information on these and other topics is available on the ICAO Roadmap to OPS Normal site (<https://www.icao.int/safety/OPS/OPS-Normal>).

7. With these considerations in mind, States are urged to:

- a) inform ICAO of any CVR TE that may be granted by using a TE submission form; and
- b) indicate whether your State will accept TEs granted by another State, including the new CVR TE, by using a TE Acceptability Status Update form.

These forms and associated guidance for their completion are provided on the ICAO Operational Safety Home Page (<https://www.icao.int/safety/OPS/OPS-Normal/Pages/Targeted-Exemptions.aspx>).

8. The aforementioned information needs to be provided by the National Continuous Monitoring Coordinator (NCMC) or any other authorized user.

Accept, Sir/Madam, the assurances of my highest consideration.

Juan Carlos Salazar  
Secretary General