

## INSTRUCTIONS FOR COMPLETION

TARGETED EXEMPTION: **25-hour Cockpit Voice Recorder (CVR)****Part A. ICAO Use only**

States **should not complete** any of Part A.

**Part A** provides a unique reference number for the TE in order that it can be quickly and unambiguously referred to, and to ensure other States are able to easily find the information provided regarding this TE.

Details will be added by ICAO on submission of a fully completed TE form that meets the requirements as outlined in the following sections. Completion of this section should be taken as evidence that the TE has been successfully submitted and recorded by ICAO.

TE forms which do not have this section completed have either not been submitted to ICAO, or do not meet the requirements as outlined in the following sections.

**Part B. Targeted Exemption Details (To be completed by the NCMC or authorized user only)**

**Part B** provides specific detail on the targeted exemption, including which Standard it relates to, when the TE is applicable and who in the State is to be contacted for more details, if required.

The information in **Part B** is also used to enter the TE details into a searchable database, allowing the TE to be easily found by States, reference number, affected Standard or applicability. This action forms part of the ICAO process following submission of a correctly completed form.

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**1. State**

This section should be completed with the full name of the State issuing the TE. The issuing State will differ according to the type of operations:

- Commercial Air Transport

The State of the Operator will be responsible for issuing TEs related to 25-hour CVRs for operations conducted under Annex 6, Part I – International Commercial Aviation – Aeroplanes.

- General Aviation

The State of Registry will be responsible for providing details of issuing a TE for operations conducted under Annex 6, Part II – International General Aviation -- Aeroplanes.

*Note: The "Operator" is the person, organization or enterprise engaged in or offering to engage in an aircraft operation. In the context of Annex 6, Part II, the operator is not engaged in the transport of passengers, cargo or mail for remuneration or hire. It is common that the aeroplane operator is the owner.*

## 2. Notification Date

This date refers to the date on which the TE was completed and submitted to ICAO for publication. *It is not related to the applicability date.*

Notification should be as far in advance of the start date of the TE as is practicable to allow for submission and processing by ICAO, ensuring the TE details will be available to view at the start of the applicability period.

## 3. Reason for granting TE

TEs should only be granted for issues that are the result of restrictions imposed by the COVID-19 pandemic.

TEs should be specific to a clearly defined situation and drafted specifically for that situation. It is possible that a State may need multiple TEs in relation to one Standard, for example where multiple operators are based in a State and two or more of these operators have delay in equipping their aeroplanes with 25-hour CVRs, or where an operator has more than one aircraft type affected. In this case a TE for each operator/aircraft type is required

Details regarding the availability and expected installation date of the 25HR CVR equipment and the planned TE expiration should also be included here.

A clear and concise description of the need for a CVR TE should be provided. An example could be as follows:

*Basic Airways has acquired B787s for which the individual certificate of airworthiness was issued on or after 1 January 2022 and that are not yet equipped with 25-hour cockpit voice recorders (CVRs). While the delay in equipping aeroplanes with 25-hour CVRs does not render the Certificate of Airworthiness invalid, the aircraft will not comply with existing Standards until the affected airplanes are retrofitted.*

*The TE will be withdrawn once all aeroplanes affected by this TE are equipped with 25-hour CVRs, but no later than the end of the TE applicability period.*

## 4. Associated SARP (Target group)

For 25-hour CVR TEs, the references for Annex 6 Part I and Part II are provided. States should indicate which Standard the TE is related to by checking the relevant check box. The relevant Standards are:

- Annex 6, Part I, para. 6.3.2.3.2 for international commercial aeroplane operations; or
- Annex 6, Part II, para. 3.6.3.2.2.1 for international general aviation aeroplane operations.

## 5. TE Applicability period

TEs are granted for a specific time period. This must be specified on the form using **From** and **To** dates (in UTC) indicating the start of the TE applicability period and the end date after which it will no longer apply.

Should a TE be required beyond the supplied applicability period, a new TE form will be required to be completed and submitted to ICAO.

Automatic filtering of the database entries for TEs will ensure that only TEs that have not expired (current and future) will be shown to the States when looking for information on existing exemptions.

#### **6. TE approved for use by:**

A 25-hour CVR TE is specific to an operator experiencing an issue with compliance to the relevant Standard (i.e., exemptions that need to be accepted by other States to allow entry into their airspace). 25-hour CVR TEs should therefore clearly specify the aeroplanes, by type and registration/manufacturers serial number, to which they apply. Where there are multiple eligible operators requiring 25-hour CVR TEs, these must be completed separately for each operator.

Note that:

- a. The CVR TE should only be granted where all other options have been explored and there is no other alternative.
- b. CVR TEs should only apply to a distinct group affected by the issue described in 'Reason for granting TE'. For example, if an operator has 2 aircraft types on their AOC and one of the two types does not require 25-hour CVRs, the TE should be submitted only for the subset of aircraft for whom the Standard applies – it should not apply to the operator as a whole unless required to do so.

#### **7. Operator accountable person**

Following authorization from the State, an accountable person within the affected operator should also provide their details to acknowledge that they have accepted and understood the conditions under which the TE is granted and under which they will continue to operate.

In general aviation (i.e., Annex 6 Part II) the operator is the person, organization or enterprise engaged in or offering to engage in an aircraft operation, and is not engaged in the transport of passengers, cargo or mail for remuneration or hire. It is common that the aeroplane operator is the owner and the accountable person.

#### **8. State focal point**

The National Continuous Monitoring Coordinator (NCCMC) or authorized user from the issuing State will be the contact individual who can submit this form and be contacted by ICAO or another State in the event that additional information is required in respect of the issued TE.

Such questions might include (but are not limited to):

- a. Clarification on the applicability of the TE;
- b. Additional information on the reason for granting the TE;
- c. Additional detail on the new CVR availability and expected installation dates;
- c. Additional detail on specific mitigations put in place.

## 9. State/CAA Accountable person

The TE needs to be authorized by a person of authority within the issuing State. For CVR TEs, this could be the equivalent position to the Head of Flight Operations, or if necessary the DG of the CAA.

By completing and submitting the TE form, along with the accountable person details, the State is officially recognizing that they are granting an exemption to the operator and that they have satisfied themselves that:

- a. Suitable mitigations, if required, have been considered (see **Part C** below) and put in place.
- b. Continued oversight on the part of the State will be conducted for the duration of the applicability period to ensure the operator is complying with the requirements specified in the TE.

TE forms received by ICAO that are not authorized by a suitable individual from the issuing State will be returned for completion.

### **Part C. Targeted Exemption Elements (To be completed by the NCMC or authorized user only)**

**Part C** of the TE form is intended for the State to outline the additional measures associated with the use of a CVR TE that have been put into place. Below, additional guidance on potential measures is provided which should be considered carefully by States.

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#### 1. Specific Mitigations

A temporary delay in meeting the applicability date for 25-hour CVRs is not considered to pose a direct safety risk. It is assumed, however, that the aircraft is fitted with a CVR meeting or exceeding all other requirements in Annex 6 apart from the 25 hour recording.

#### 2. Documentation

##### 2 a. Documents required to be submitted with the TE

Information should be supplied which provides evidence that the inability to meet the 25-hour recording duration is based on manufacturer difficulties as a result of the COVID pandemic. To avoid all operators needing to contact the OEM directly, this information should be provided by the State of Design, based on information received from the OEM.

To support this CVR TE submission, the State issuing the TE also needs to submit documentation showing that either:

- an exemption from the State regulation has been granted to the operator, or
- the State has filed a difference with ICAO regarding the required equipage of a 25-hour CVR, as specified in Annex 6.

This documentation should include:

- Where the State of Design is the same as the State of Registry

A cover letter from the State of Design to the aircraft owner detailing:

- the actual condition of the aircraft (no 25-hour duration CVR installed); and
- the likely date by which the affected aeroplanes can be suitably equipped.

- Where the State of Design is not the same as the State of Registry

A cover letter or an Export Certificate of Airworthiness (CoA) from the State of Design detailing:

- the Annex 6 CVR equipage requirements;
- the actual condition of the aircraft (no 25-hour duration CVR installed); and
- the likely date by which the affected aeroplanes can be suitably equipped.

*Note 1 - The information regarding the likely date by which the affected aeroplanes can be suitably equipped refers to the date by which the OEM will be able to provide the modification, not the date by which the modification will be embodied on the aircraft.*

*Note 2 - For commercial air transport operations, the State of Registry must ensure that the information above is provided to the State of the Operator, where they are not the same.*

## **2 b. Documents to be carried on-board the aeroplanes covered by the TE**

In this section, any State-issued documentation that provides confirmation that an aeroplane is operating under a State approved TE, should be identified.

Such documentation can then be presented during a ramp inspection in another State, where necessary. Where the CVR TE form is presented as the document (preferred option), it must include a completed Section A to verify that it has been received by ICAO.