



Miscellaneous

No: 1076

Regulation (EC) No. 216/2008

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General Exemption E 3958

Standardised European Rules of the Air – Permissions Required for Certain Flight Operations Under SERA Which are Currently Permitted by the CAA Under National Legislation - Addendum

- 1) The Civil Aviation Authority, on behalf of the United Kingdom, pursuant to Article 14(4) of Regulation (EC) No. 216/2008 of 20 February 2008, exempts any operator (and any pilot employed by such an operator) from the requirement:
 - a) to have an authorisation or permission which is required to be issued by the competent authority pursuant to any provision of SERA whilst flying in United Kingdom airspace if the operator complies with and meets the conditions specified in paragraph 2; or
 - b) to comply with any equivalent provision of SERA whilst flying in United Kingdom airspace if the operator complies with and meets the conditions set out in paragraph 3.
- 2) The conditions specified in paragraph 1(a) are:
 - a) that the operator must, on 31 December 2014, hold an equivalent and valid authorisation or permission granted by the Civil Aviation Authority under the Rules of the Air Regulations 2007; and
 - b) that the operator must continue to comply with any conditions subject to which such an authorisation or permission was granted.
- 3) The conditions specified in paragraph 1(b) are:
 - a) that the operator must, on 31 December 2014, be exempted by the Civil Aviation Authority from compliance with a rule of the Rules of the Air Regulations 2007 under article 242 of the Air Navigation Order 2009 for which it would require an authorisation or permission under the equivalent provision of SERA or for which it would otherwise require an exemption under article 14(4) of Regulation (EC) No. 216/2008 of 20 February 2008; and
 - b) that the operator must continue to comply with any conditions subject to which such an exemption was granted.
- 4) This exemption may be revoked in respect of any operator if:
 - a) the authorisation or permission granted to that operator under the Rules of the Air Regulations 2007 is revoked or suspended or if the exemption granted under article 242 of the Air Navigation Order is suspended or revoked, or

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- b) that operator fails to comply with condition 2(b) or 3(b).
- 5) This exemption may be revoked in respect of any operator if that operator fails to comply with condition 2(b) or 3(b).
- 6) This exemption may otherwise be revoked in respect of an operator if the Civil Aviation Authority grants an authorisation or permission to the operator in respect of the operator's flight operations under SERA.
- 7) In this exemption:
- a) 'equivalent and valid authorisation or permission', in paragraph 2(a), means an authorisation or permission granted by the CAA which, if granted under the equivalent provision in SERA, would authorise or permit the operator to depart from that provision;
 - b) 'equivalent provision of SERA', in paragraphs 1(b) and 3(a), means the provision of SERA equivalent to the rule in the Rules of the Air Regulations in respect of which the CAA has granted the authorisation or permission under the Rules of the Air Regulations or in respect of which the CAA has granted the exemption under article 242 of the Air Navigation Order; and
 - c) 'SERA' means the Annex to Commission Implementing Regulation (EU) No. 923/2012 of 26 September 2012.
- 8) This exemption should be read in conjunction with [ORS4 No. 1072](#).
- 9) This exemption has effect from 00:01 hours on 1 January 2015 until 23:59 hours on 4 February 2015, unless previously revoked.

Mark Swan

for the Civil Aviation Authority

19 December 2014

Explanatory Notes:

- 1) This Exemption is intended to allow operators who hold a permission or exemption against UK Rules of the Air which is valid on 31 December 2014 to continue to operate on the same basis under SERA until midnight on 4 February 2015 notwithstanding that the permission or exemption may otherwise expire after 31 December 2014. Operators who wish to continue to operate on that basis after 5 February 2015 under SERA should contact their CAA Flight Operations Inspector at the earliest opportunity.
- 2) This exemption will be revoked for any operator when the CAA grants it an equivalent authorisation or permission under SERA.